

SUBDIVISION AND DEVELOPMENT APPEAL BOARD AGENDA

ROCKY VIEW COUNTY
COUNCIL CHAMBERS
262075 ROCKY VIEW POINT
ROCKY VIEW COUNTY, AB
T4A 0X2

December 20, 2019

A CALL MEETING TO ORDER

B DEVELOPMENT APPEALS

9:00 AM APPOINTMENTS

1. Division 2 File: 04715001; PRDP20193124 Page 2

An appeal against the Development Authority's decision to APPROVE a development permit for horticulture development, construction of an accessory building (greenhouse) at 242091 Range Road 32 (Lot 1 Block 1 Plan 0310130; SE-15-24-03-W5M) and located approximately 0.81 km (1/2 mile) south of Lower Springbank Road and on the west side of Range Road 32.

Appellant: Grandview Park Home Owners Association
Applicant/Owner: 1885807 Alberta Ltd.

10:30 AM APPOINTMENTS

2. Division 8 File: 06712074; PRDP20193187 Page 36

An appeal against the Development Authority's decision to APPROVE a development permit for single-lot regrading and placement of clean fill, the construction of berms, and the installation of a culvert at 103 North Valley Bay (Lot 31 Block 2 Plan 9990521; NE-12-26-03-W5M) and located approximately 0.41 km (1/4 mile) south of Township Road 262 and 0.41 km (1/4 mile) west of Range Road 30.

Appellant: Jim Blum
Applicant: Daniel Aljalgah
Owners: Nour and Daniel E Aljalgah

C CLOSE MEETING

D NEXT MEETING: January 8, 2020

TO: Subdivision and Development Appeal Board

DATE: December 20, 2019 **DIVISION:** 2

FILE: 04715001 **APPLICATION:** B-1; PRDP20193124

SUBJECT: Horticulture Development, construction of an accessory building (greenhouse)

PROPOSAL: Horticulture Development, construction of a greenhouse	GENERAL LOCATION: Located approximately 0.81 km (1/2 mile) south of Lower Springbank Rd., and on the west side of Rge. Rd. 32
APPLICATION DATE: September 3, 2019	DEVELOPMENT AUTHORITY DECISION: Discretionary – Approved
APPEAL DATE: December 3, 2019	DEVELOPMENT AUTHORITY DECISION DATE: November 12, 2019
APPELLANT: Grandview Park Home Owner's Assc.	APPLICANT: 1885807 Alberta Ltd. / 2001700 Alberta Ltd.
LEGAL DESCRIPTION: Lot 1, Block 1, Plan 0310130; SE-15-24-3-W05M	MUNICIPAL ADDRESS: 242091 Range Road 32
LAND USE DESIGNATION: Agricultural Holdings District (AH)	GROSS AREA: ± 20.00 acres
DISCRETIONARY USE: Horticulture Development is a discretionary use in the AH District.	DEVELOPMENT VARIANCE AUTHORITY: None
PUBLIC SUBMISSIONS: The application was circulated to 32 adjacent properties. No letters in support or opposition were received.	LAND USE POLICIES AND STATUTORY PLANS: <ul style="list-style-type: none"> • Land Use Bylaw (C-4841-97) • Central Springbank Area Structure Plan • Calgary/Rocky View Intermunicipal Development Plan

This proposal is for Horticulture Development, construction of a greenhouse. The greenhouse will be used for mass production/growing of produce. Within the greenhouse, produce will be grown within sea containers.

The Horticulture Development (greenhouse) is proposed to be 2,562.00 sq. m (27,577.14 sq. ft.) in size, with a height of 7.31 m (24.00 ft.). The AH District does not have a maximum size requirement for primary structures related to horticultural development. The maximum height of a principal building is 10.00 m (32.81 ft.). The structure is proposed to be located in accordance with setback requirements.



There are a number of other accessory buildings on site ancillary to the agriculture and residential uses of the site.

Administration notes that the initial assessment of this application described the proposed development as an accessory building and a principal building interchangeably. As the proposal is indeed a principal building as a part of a horticultural development, parts of this report have been updated. In addition, screening of the structure from adjacent lands was neglected in the initial assessment. The Board may consider Option 3, which updates the description of the development and includes a condition with respect to screening.

On November 12, 2019, the Development Authority conditionally-approved the application. The Appellant appealed the decision of the Development Authority on December 3, 2019, for the reasons noted within the agenda package.

PROPERTY HISTORY:

2003	Plan 0310130 is registered, resulting in the creation of the subject lands.
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APPEAL:

See attached report and exhibits.

Respectfully submitted,

Sean MacLean
Supervisor, Planning and Development Services

PS/lt

**DEVELOPMENT PERMIT REPORT**

Application Date: September 3, 2019	File: 04715001
Application: PRDP20193124	Applicant/Owner: 1885807 Alberta Ltd. / 2001700 Alberta Ltd.
Legal Description: Lot 1, Block 1, Plan 0310130; SE-15-24-3-W5M	General Location: Located approximately 0.81 km (1/2 mile) south of Lower Springbank Rd., and on the west side of Rge. Rd. 32
Land Use Designation: Agricultural Holdings District (AH)	Gross Area: ± 8.09 hectares (± 20.00 acres)
File Manager: Paul Simon	Division: 2

PROPOSAL:

This proposal is for Horticulture Development, construction of an accessory building (greenhouse). The greenhouse will be used for mass production/growing of produce. Within the greenhouse, produce will be grown within sea containers.

The site will contain less than 10 employees and a sporadic delivery/transport trucking schedule.

Building Size (Section 46.3)

- Discretionary: Horticulture Development
- Proposed accessory building area: 2,562.00 sq. m (27,577.14 sq. ft.)
 - It is the interpretation of the development authority that the building is appropriately located to not unduly impact adjacent properties nor interfere with the amenities of the area.

Setback Requirements (Section 46.5)

- Front yard setback from a County road:
 - Required: 45.00 m (147.64 ft.)
 - Proposed: 45.00 m (147.64 ft.)
- Side yard setback from all other:
 - Required: 6.00 m (19.69 ft.)
 - Proposed: 6.00 m (19.69 ft.) / Lots
- Rear yard setback from all other:
 - Required: 15.00 m (49.20 ft.)
 - Proposed: Lots

Maximum Height Requirements (Section 46.7):

- Required: Principal building – 10.00 m (32.81 ft.)
- Proposed: 7.31 m (24.00 ft.)

Property History:

- There is no relevant development history.



STATUTORY PLANS:

The application was evaluated in accordance with the Central Springbank Area Structure Plan. The ASP allows for the continuation of agricultural activities until such a time that residential development proceeds.

INSPECTOR'S COMMENTS:

Date of Inspection: October 22, 2019

- No access to location of proposed accessory building.
- No construction materials visible.
- Construction vehicles not present.
- Site visible from road.
- Heavy tree screening and high berms blocking view from SE corner.
- NE corner – high berm site is much lower than the building would be visible from NE
- Site untidy and unmaintained.

CIRCULATIONS:

City of Calgary

- No comments.

Agricultural Services, Rocky View County

- No agricultural concerns.

Utility Services, Rocky View County

- No concerns.

Planning and Development Services – Engineering, Rocky View County

General

- The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures.
- As a condition of future DP, the applicant will be required to submit a construction management plan addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details.

Geotechnical - Section 300.0 requirements:

- Engineering as no requirements at this time.

Transportation - Section 400.0 requirements:

- It appears that access to the lot is provided via two road approaches off of Range Road 32.
- As a condition to DP, the applicant/owner will be required to pay the Transportation Off-site Levy, in accordance with the applicable levy at time of DP issuance, over the development area.
- Prior to the issuance of the DP, the applicant is required to contact County Road Operations to determine if any permits are required during the construction of the proposed development and/or for the proposed transport of produce/goods.


Sanitary/Waste Water - Section 500.0 requirements:

- As a condition to DP, the applicant is required to provide a waste water servicing plan.
 - The County supports the use of holding tanks with trucked service for commercial purposes.

Water Supply And Waterworks - Section 600.0 & 800.0 requirements:

- As a condition to DP, the applicant is required to provide a water servicing plan.
 - Should the applicant/owner propose to connect to the Westridge water co-op distribution system, as a condition to DP, the owner will be required to provide confirmation
 - Should the applicant/owner propose to use a groundwater well to service the proposed development, as a permanent condition, the applicant will be required to provide confirmation of a commercial water license from AEP.

Storm Water Management – Section 700.0 requirements:

- As a condition to DP, the applicant/owner shall provide a Site-Specific Stormwater Implementation Plan conducted by a qualified professional that is consistent with the conditions set in the Springbank MSDP and the Springbank Creek Catchment Drainage Plan.
 - The applicant/owner is responsible for following the recommendations outlined in the Site-Specific Stormwater Implementation Plan.

Environmental – Section 900.0 requirements:

- As a condition to DP, the applicant/owner will be required to submit an erosion and sediment control plan to outline ESC measures (i.e. silt fence, stabilization, seeding of topsoil, etc.) to be implemented during the construction of the addition and in perpetuity.
- The proposed development does not appear to have a direct impact on any wetlands. Should the owner propose development that has a direct impact on any wetlands, the applicant will be responsible for obtaining all required AEP approvals.

Transportation Services, Rocky View County

- Applicant to contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
- Any on site exterior lighting to be “dark sky” compliant.
- Applicant to be reminded staff and clientele parking is restricted to onsite only. No parking permitted within the County road allowance.
- Applicant to be reminded no business signage to be installed within the County Road Allowance
- Applicant to be reminded to adhere to the conditions identified within the County Noise Bylaw.

Development Compliance, Rocky View County

- No comments received.

OPTIONS:

Option #1 (this would allow for the construction of the horticulture development, as approved)

That the appeal against the decision of the Development Authority to issue a Development Permit for Horticulture Development, construction of an accessory building (greenhouse) at Lot 1, Block 1,



Plan 0310130; SE-15-24-3-W5M (242091 Range Road 32) be denied, the decision of the Development Authority be upheld, and that a Development Permit be issued, subject to the following conditions:

Description:

- 1) That Horticulture Development, construction of an accessory building (greenhouse) approximately 2,562.00 sq. m (27,577.14 sq. ft.) in area may be constructed on the subject lands in general accordance with the site plan, drawings submitted with the application and conditions of this permit.

Prior to Issuance:

- 2) That prior to issuance of this permit, the Applicant/Owner shall submit payment of the Transportation Offsite Levy for the 'Development Area' in accordance with the Transportation Offsite Levy Bylaw.
 - i. A revised Site Plan shall be submitted, identifying the 'Development Area' of the proposal. *Note, the 'Development Area' shall include the driveway access, all structures (buildings), the storage and display areas directly associated with the use, the required landscaping and parking areas as defined in the Land Use Bylaw, and any other area used for development purposes.*
- 3) That prior to issuance of this permit, the Applicant/Owner shall contact County Road Operations to determine if a Road Use Agreement and/or any Road Data Permits are required for the importing of fill and topsoil, removal of any excess fill, and for the mobilization and demobilization of any construction equipment to and from the subject site utilizing any County Roads.
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any requirement agreement or permits shall be obtained unless otherwise noted by County Road Operations.
- 4) That prior to issuance of this permit, the Applicant/Owner shall submit a water and wastewater servicing plan.
 - i. That should the Applicant/Owner tie into Westridge Water Co-Op, confirmation from the Co-Op ensuring that sufficient capacity is available and has been allocated, shall be provided.
- 5) That prior to issuance of this permit, the Applicant/Owner shall submit a Site-Specific Stormwater Implementation Plan (SSIP), conducted by a qualified professional that is consistent with the conditions set in the Springbank Master Site Development Plan (MSDP) and the Springbank Creek Catchment Drainage Plan.
 - i. The Applicant/Owner is responsible for following the recommendations outlined in the Site-Specific Stormwater Implementation Plan.
- 6) That prior to issuance of this permit, the Applicant/Owner shall submit an erosion and sediment control plan, in accordance with County Servicing Standards.
- 7) That prior to issuance of this permit, the Applicant/Owner shall submit a construction management plan, in accordance with County Servicing Standards. The plan shall address noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details.

**Permanent:**

- 8) That the proposed Accessory Building (greenhouse) shall not be used for residential occupancy purposes at any time.
- 9) That the exterior siding and roofing materials of the Accessory Building (greenhouse) shall be similar/ cohesive to the existing dwelling, single-detached and/or area.
- 10) That there shall be no more than 1.00 m (3.28 ft.) of fill placed adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction, which is used to establish approved final grades unless a Development Permit has been issued for additional fill and topsoil.
- 11) That all on-site lighting shall be dark sky, and all private lighting, including site security lighting and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight. All development shall demonstrate lighting design that reduces the extent of spill-over glare, and eliminates glare as viewed from nearby residential properties.
- 12) That any garbage containers shall be weather and animal proof and shall be completely screened from view from all adjacent properties and public thoroughfares.
- 13) That all employee parking is restricted to onsite only. There shall be no parking permitted within the County road allowance.
- 14) That should water servicing be provided via groundwater wells, the Applicant/Owner shall be required to provide confirmation of a commercial water license from Alberta Environment and Parks.
- 15) That any proposed signage shall require a separate development permit.
- 16) That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application or submitted in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity including any recommendations of the above SSIP.

Advisory:

- 17) That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
- 18) That during construction of the Accessory Building, all construction and building materials shall be maintained on site, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
- 19) That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.
- 20) That a Building Permit or Farm Building Location Permit and sub-trade permits shall be obtained through Building Services, prior to any construction taking place.
- 21) That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Authority.
- 22) That if this Development Permit is not issued by **JULY 31, 2020**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Option #2 (this would not allow for the construction of the horticultural development)

That the appeal against the decision of the Development Authority to issue a Development Permit for Horticulture Development, construction of an accessory building (greenhouse) at Lot 1, Block 1, Plan



0310130; SE-15-24-3-W5M (242091 Range Road 32) be upheld, and that the decision of the Development Authority be revoked.

Option #3 (this would allow for the construction of the horticulture development, as modified with noted screening condition)

That the appeal against the decision of the Development Authority to issue a Development Permit for Horticulture Development, construction of a greenhouse at Lot 1, Block 1, Plan 0310130; SE-15-24-3-W5M (242091 Range Road 32) be denied, the decision of the Development Authority be varied, and that a Development Permit be issued, subject to the following conditions:

Description:

- 1) That Horticulture Development, construction of a greenhouse approximately 2,562.00 sq. m (27,577.14 sq. ft.) in area may be constructed on the subject lands in general accordance with the site plan, drawings submitted with the application and conditions of this permit.

Prior to Issuance:

- 2) That prior to issuance of this permit, the Applicant/Owner shall submit payment of the Transportation Offsite Levy for the 'Development Area' in accordance with the Transportation Offsite Levy Bylaw.
 - ii. A revised Site Plan shall be submitted, identifying the 'Development Area' of the proposal. *Note, the 'Development Area' shall include the driveway access, all structures (buildings), the storage and display areas directly associated with the use, the required landscaping and parking areas as defined in the Land Use Bylaw, and any other area used for development purposes.*
- 3) That prior to issuance of this permit, the Applicant/Owner shall contact County Road Operations to determine if a Road Use Agreement and/or any Road Data Permits are required for the importing of fill and topsoil, removal of any excess fill, and for the mobilization and demobilization of any construction equipment to and from the subject site utilizing any County Roads.
 - ii. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any requirement agreement or permits shall be obtained unless otherwise noted by County Road Operations.
- 4) That prior to issuance of this permit, the Applicant/Owner shall submit a water and wastewater servicing plan.
 - ii. That should the Applicant/Owner tie into Westridge Water Co-Op, confirmation from the Co-Op ensuring that sufficient capacity is available and has been allocated, shall be provided.
- 5) That prior to issuance of this permit, the Applicant/Owner shall submit a Site-Specific Stormwater Implementation Plan (SSIP), conducted by a qualified professional that is consistent with the conditions set in the Springbank Master Site Development Plan (MSDP) and the Springbank Creek Catchment Drainage Plan.
 - ii. The Applicant/Owner is responsible for following the recommendations outlined in the Site-Specific Stormwater Implementation Plan.
- 6) That prior to issuance of this permit, the Applicant/Owner shall submit an erosion and sediment control plan, in accordance with County Servicing Standards.



- 7) That prior to issuance of this permit, the Applicant/Owner shall submit a construction management plan, in accordance with County Servicing Standards. The plan shall address noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details.
- 8) That prior to issuance of this permit, the Applicant/Owner shall submit a *Screening* plan indicating measures to mitigate the visual impact of the development from adjacent lands, specially noting adjacent lands to the north and east of the subject site, in accordance with Section 25 & 26 of the County's Land Use Bylaw C-4841-97.

Permanent:

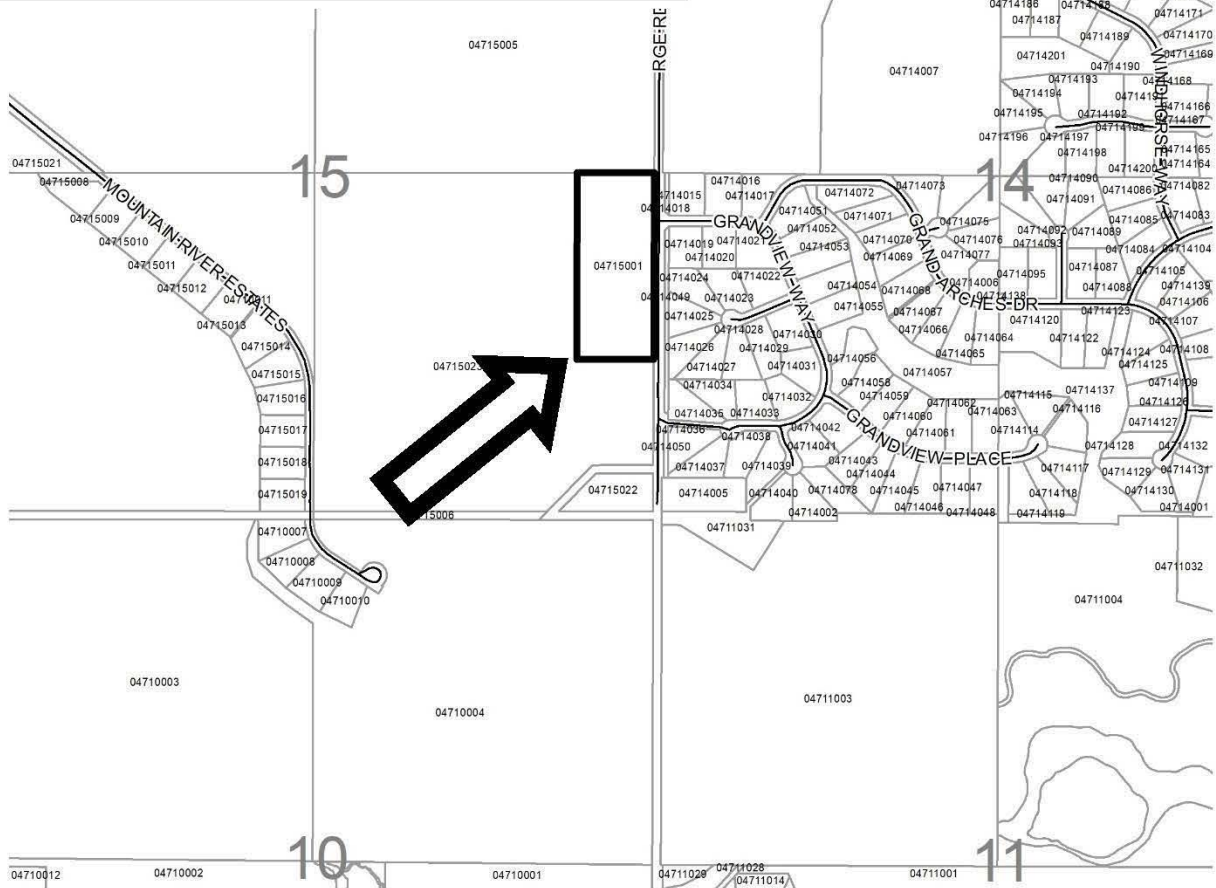
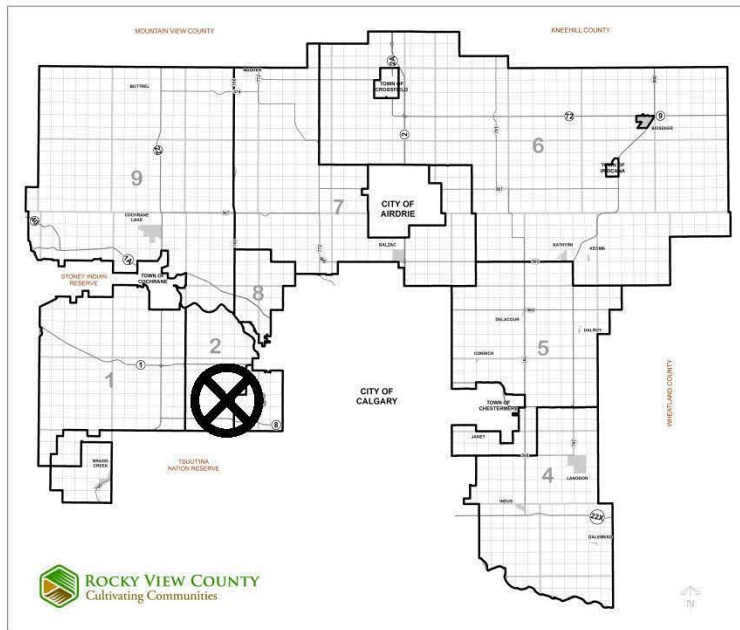
- 9) That the proposed Horticultural Development (greenhouse) shall not be used for residential occupancy purposes at any time.
- 10) That there shall be no more than 1.00 m (3.28 ft.) of fill placed adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction, which is used to establish approved final grades unless a Development Permit has been issued for additional fill and topsoil.
- 11) That all screening elements identified in the approved *Screening* plan, shall be installed onsite no later than six months from date of permit issuance or by June 30th of the permit issuance year, whichever is the later.
- 12) That all on-site lighting shall be dark sky, and all private lighting, including site security lighting and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight. All development shall demonstrate lighting design that reduces the extent of spill-over glare, and eliminates glare as viewed from nearby residential properties.
- 13) That any garbage containers shall be weather and animal proof and shall be completely screened from view from all adjacent properties and public thoroughfares.
- 14) That all employee parking is restricted to onsite only. There shall be no parking permitted within the County road allowance.
- 15) That should water servicing be provided via groundwater wells, the Applicant/Owner shall be required to provide confirmation of a commercial water license from Alberta Environment and Parks.
- 16) That any proposed signage shall require a separate development permit.
- 17) That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application or submitted in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity including any recommendations of the above SSIP.

Advisory:

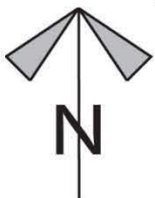
- 18) That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
- 19) That during construction of the Horticultural Development, all construction and building materials shall be maintained on site, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
- 20) That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.
- 21) That a Building Permit or Farm Building Location Permit and sub-trade permits shall be obtained through Building Services, prior to any construction taking place.



- 22) That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Authority.
- 23) That if this Development Permit is not issued by **JULY 31, 2020**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.



LOCATION PLAN

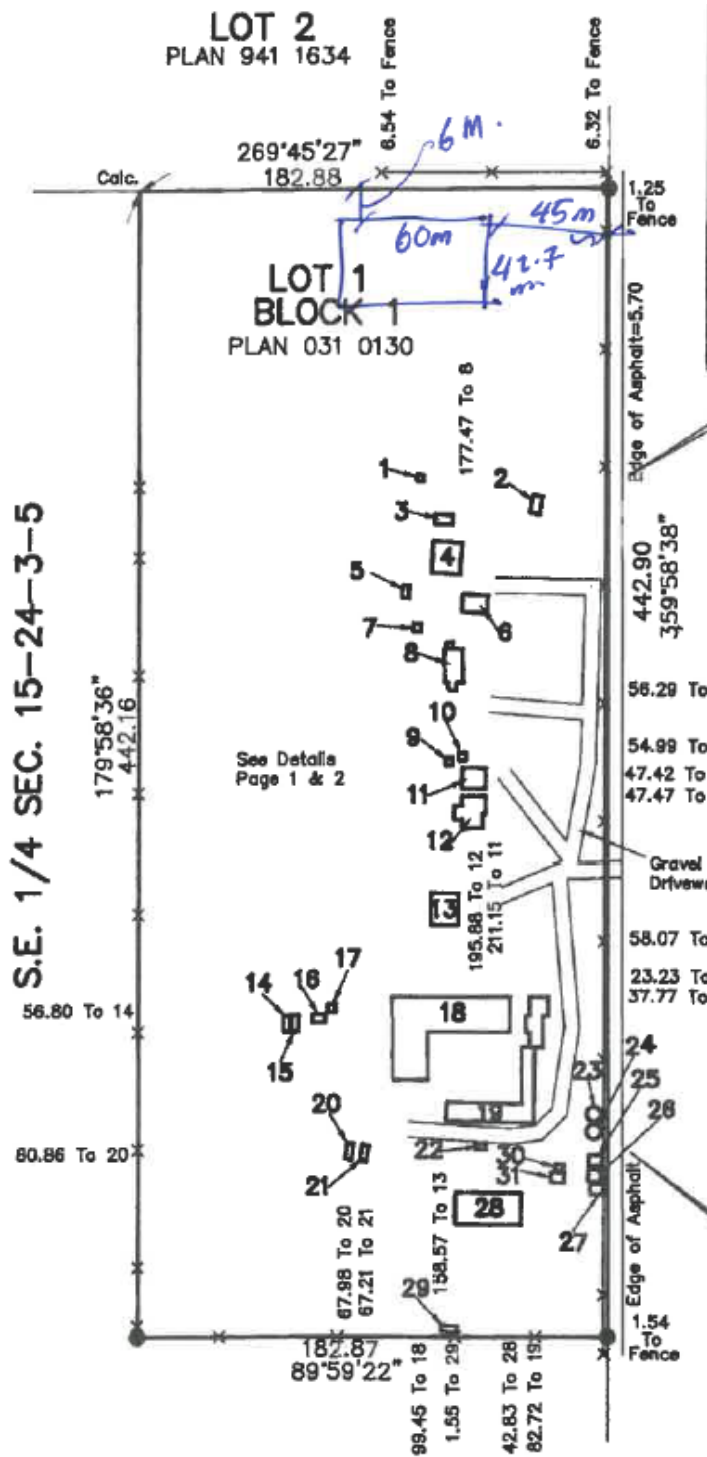


SE-15-24-03-W05M
Lot: 1 Block: 1 Plan: 0310130

Date: Dec 3, 2019

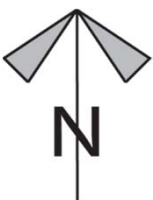
Division # 2

File: 04715001



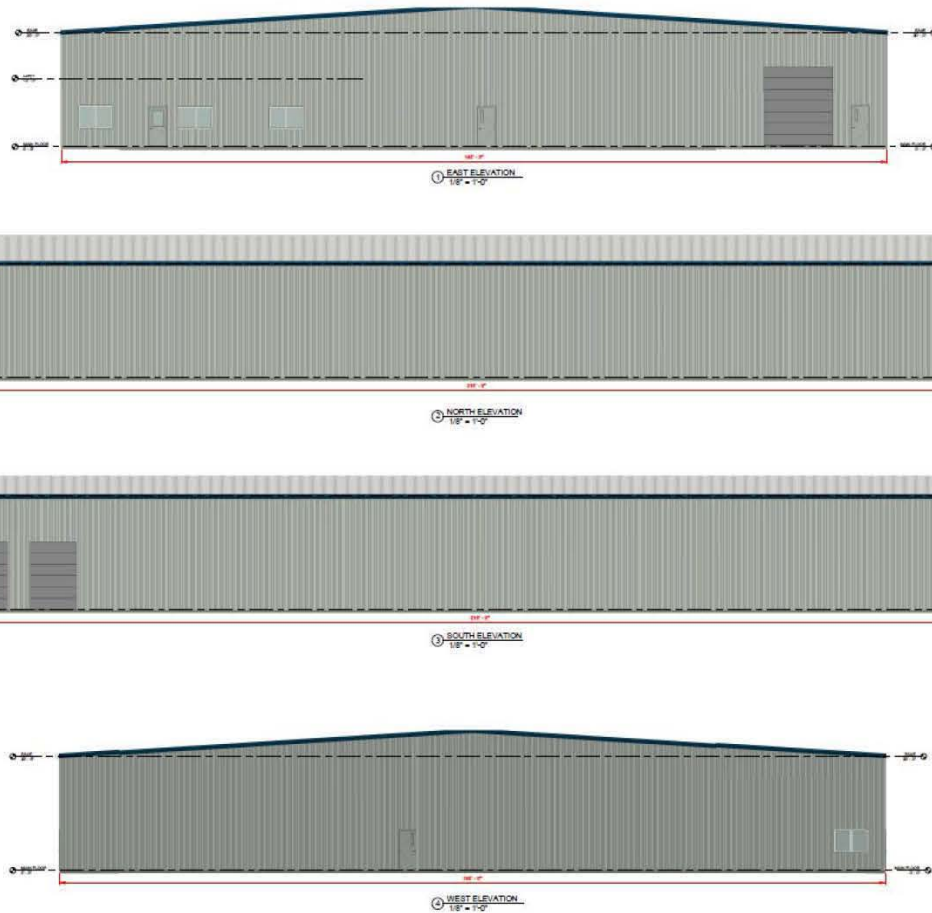
S.E. 1/4 SEC. 15-24-3-5

SITE PLAN

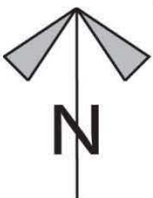


SE-15-24-03-W05M
Lot: 1 Block: 1 Plan: 0310130

Date: Dec 3, 2019 Division # 2 File: 04715001



ELEVATION PLAN

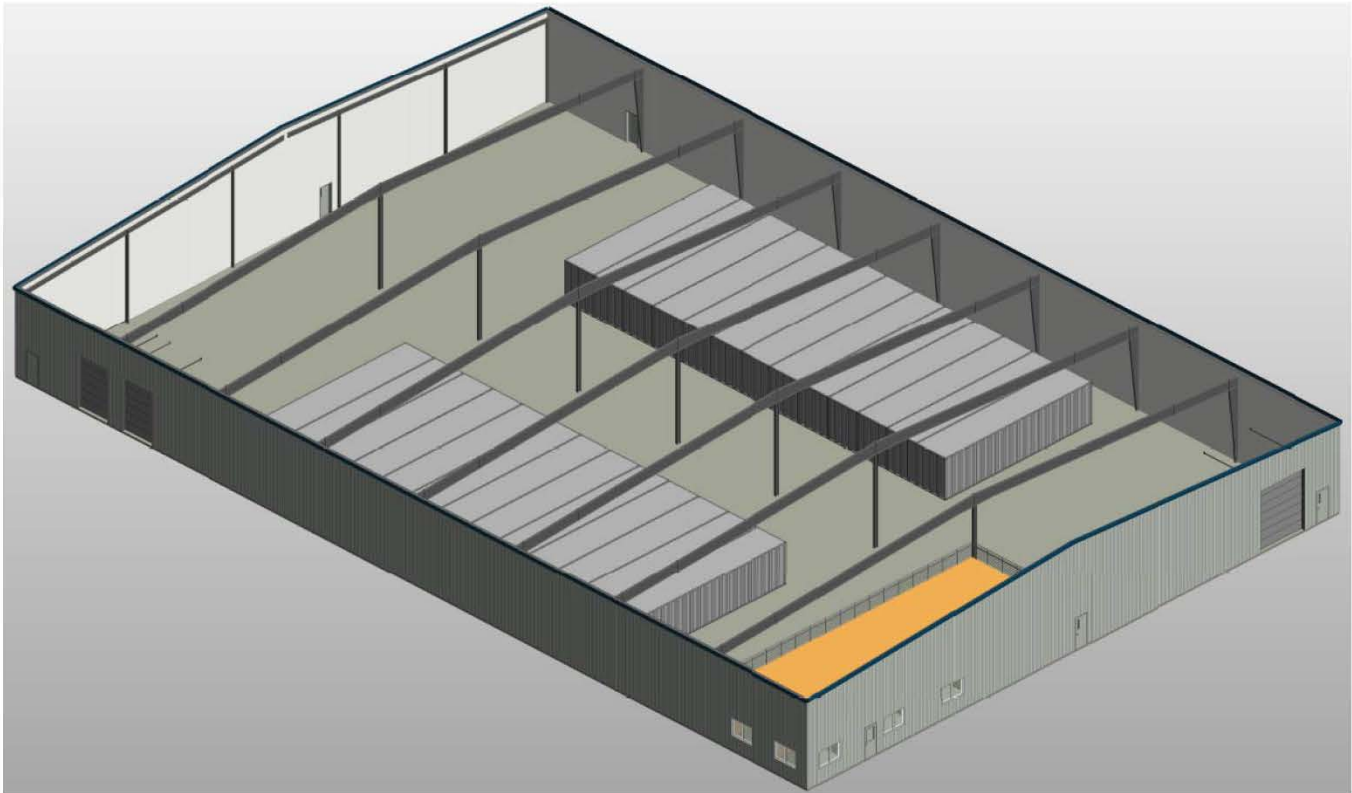


SE-15-24-03-W05M
Lot: 1 Block: 1 Plan: 0310130

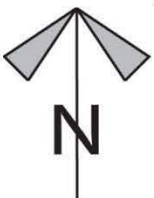
Date: Dec 3, 2019

Division # 2

File: 04715001



INTERIOR PLAN

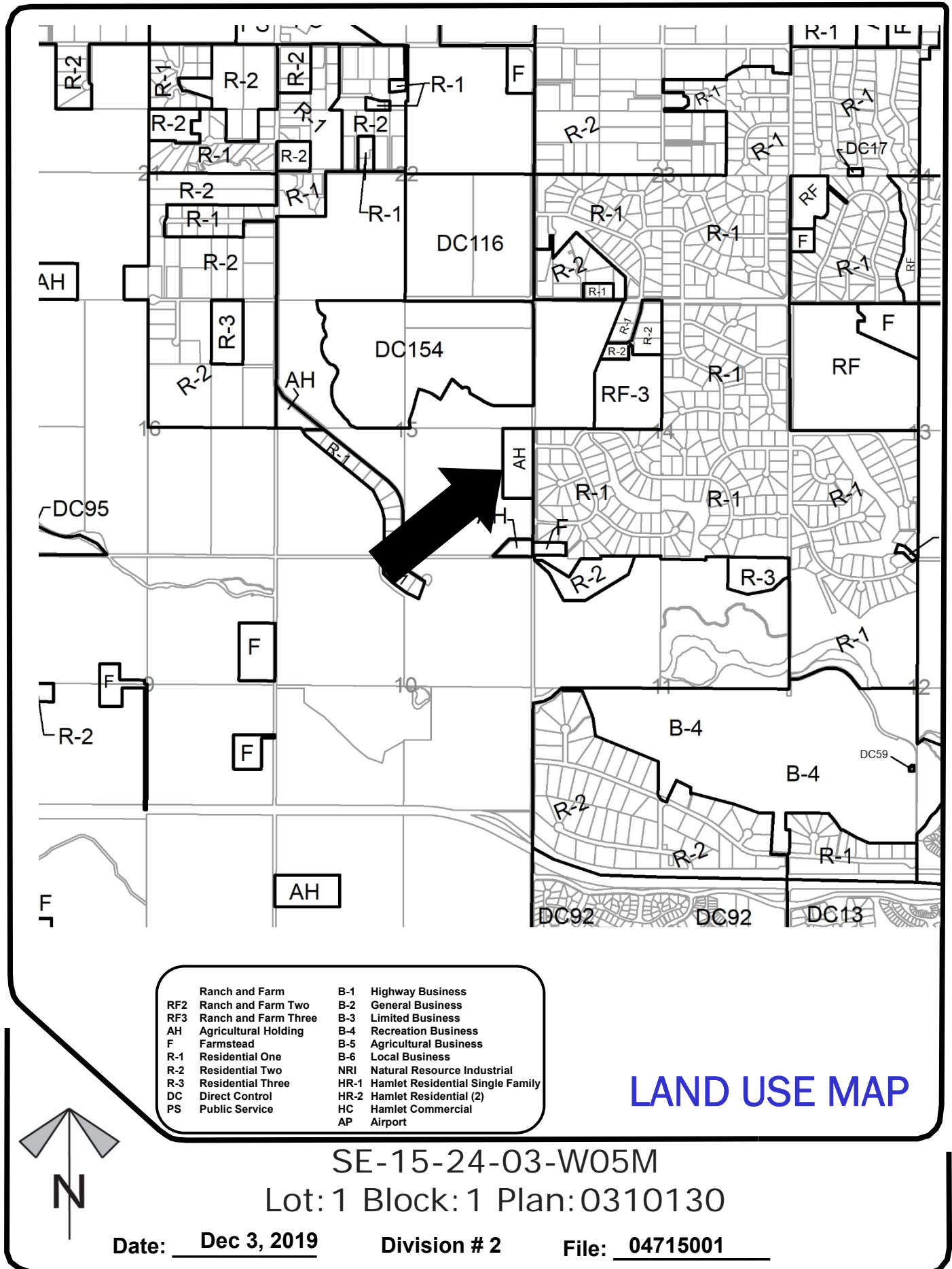


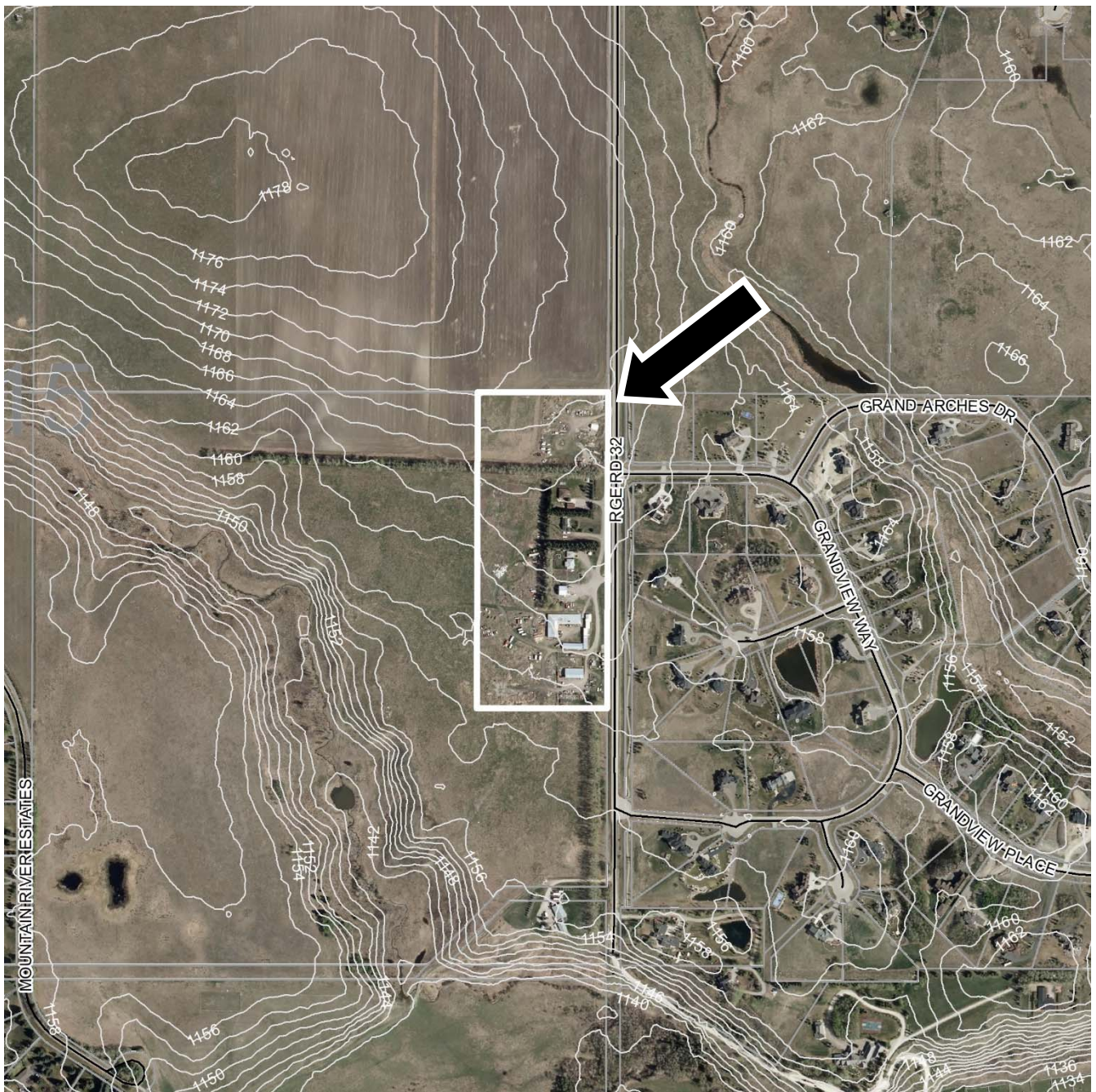
SE-15-24-03-W05M
Lot: 1 Block: 1 Plan: 0310130

Date: Dec 3, 2019

Division # 2

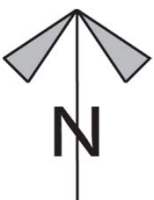
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Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

TOPOGRAPHY
Contour Interval 2 M



SE-15-24-03-W05M
Lot: 1 Block: 1 Plan: 0310130

Date: Dec 3, 2019

Division # 2

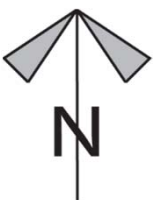
File: 04715001



Note: Post processing of raw aerial
photography may cause varying degrees
of visual distortion at the local level.

AIR PHOTO

Spring 2018



SE-15-24-03-W05M
Lot: 1 Block: 1 Plan: 0310130

Date: Dec 3, 2019

Division # 2

File: 04715001



Limitations refer to cereal, oilseeds and tame hay crops

- 1 - No significant limitation
- 2 - Slight limitations
- 3 - Moderate limitations
- 4 - Severe limitations
- 5 - Very severe limitations
- 6 - Production is not feasible
- 7 - No capability

B - brush/tree cover

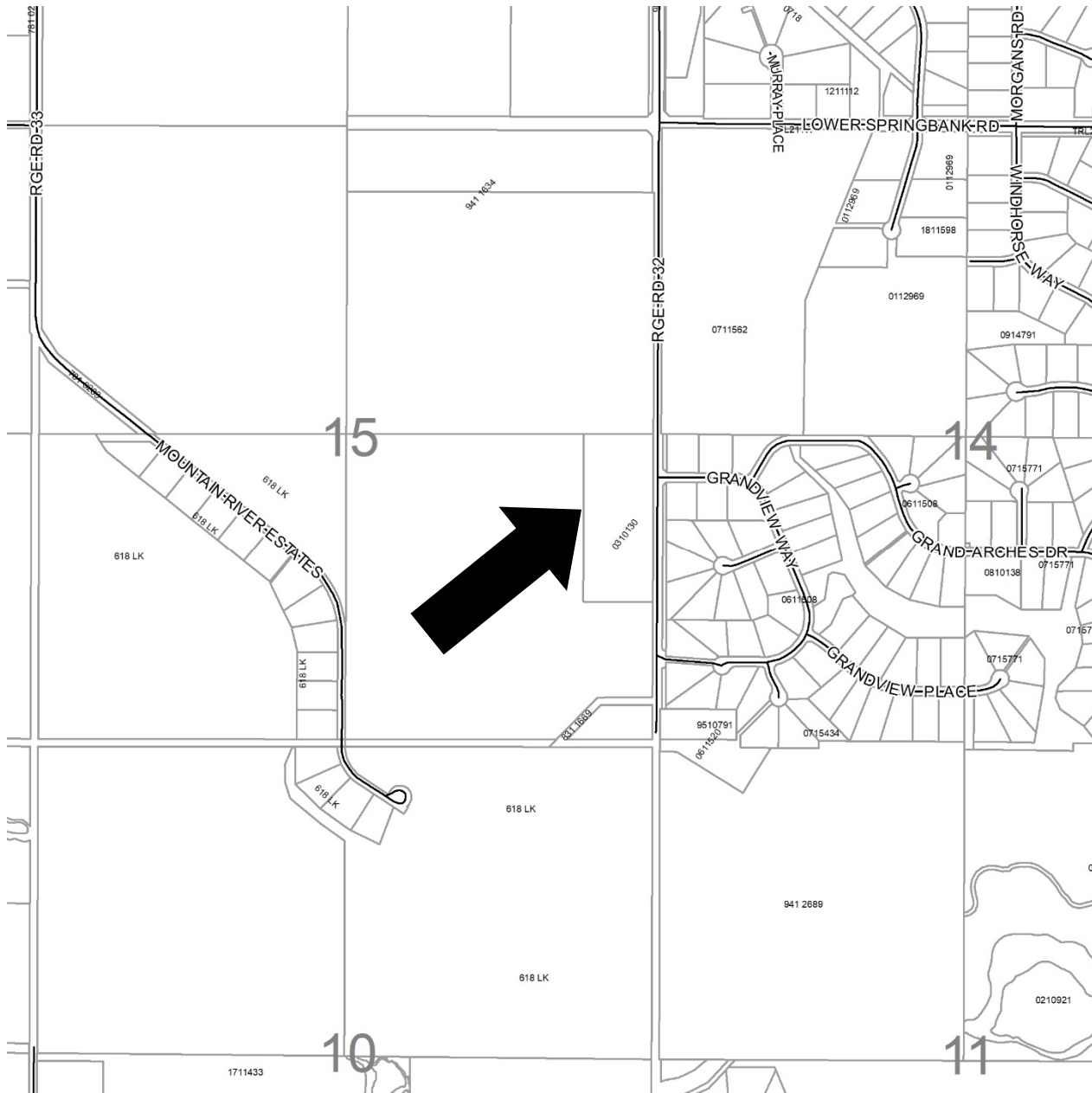
- C - climate
- D - low permeability
- E - erosion damage
- F - poor fertility
- G - Steep slopes
- H - temperature
- I - flooding
- J - field size/shape
- K - shallow profile d
- M - low moisture hol

- N - high salinity
- P - excessive surface stoniness
- R - shallowness to bedrock
- S - high sodicity
- T - adverse topography
- U - prior earth moving
- V - high acid content
- W - excessive wetness/poor drainage
- X - deep organic deposit
- Y - slowly permeable
- Z - relatively impermeable

Date: Dec 3, 2019

Division # 2

File: 04715001



Legend – Plan numbers

- First two numbers of the Plan Number indicate the year of subdivision registration.
- Plan numbers that include letters were registered before 1973 and do not reference a year

HISTORIC SUBDIVISION MAP

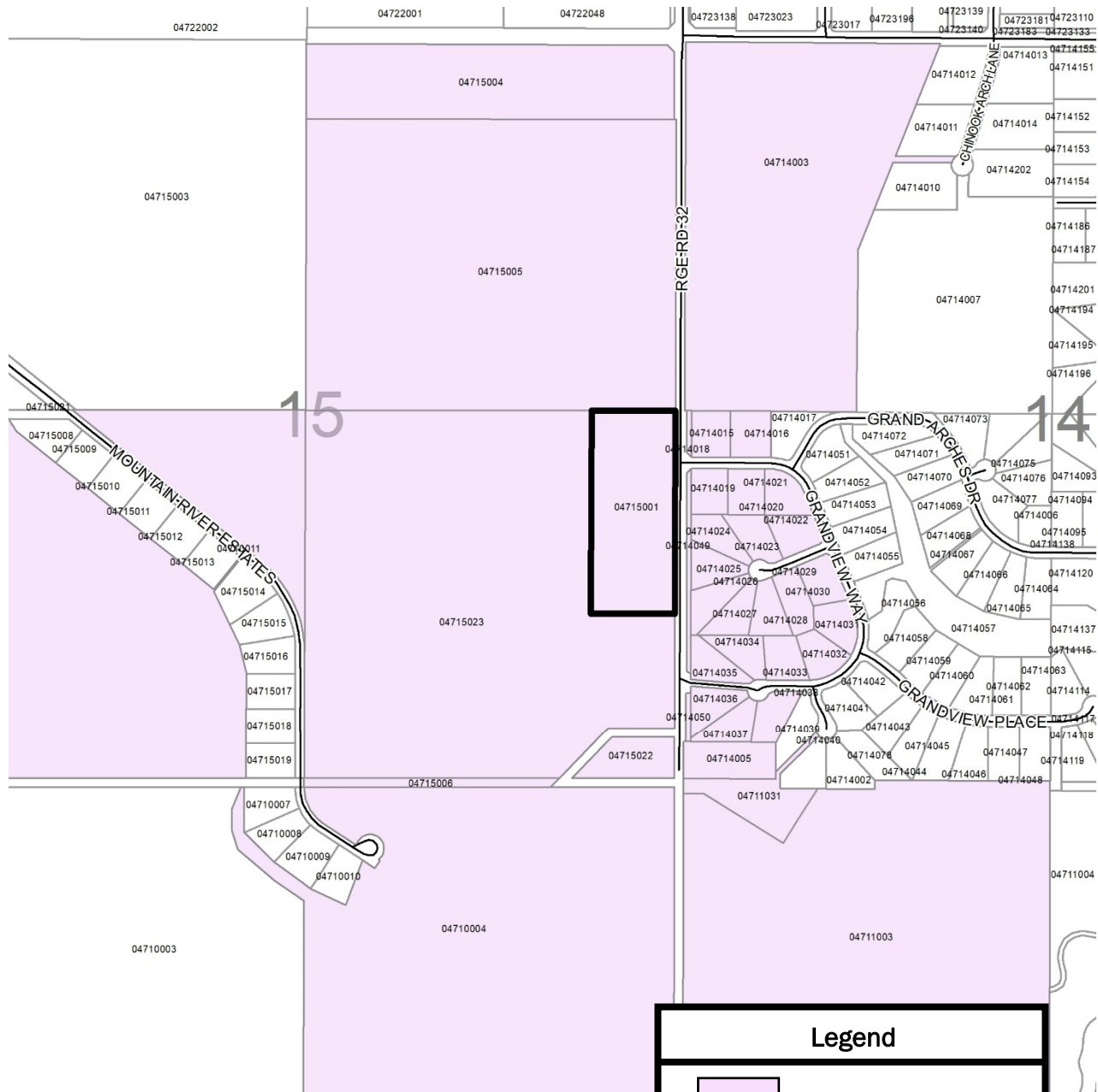
SE-15-24-03-W05M



Lot: 1 Block: 1 Plan: 0310130



Date: Dec 3, 2019

Division # 2

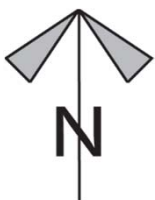
File: 04715001



 Letters in Opposition
 Letters in Support

Legend	
	Circulation Area
	Subject Lands

LANDOWNER CIRCULATION AREA



SE-15-24-03-W05M
 Lot: 1 Block: 1 Plan: 0310130

Date: Dec 3, 2019 Division # 2 File: 04715001




Notice of Appeal

**Subdivision and Development Appeal Board
Enforcement Appeal Committee**


Appellant Information			
Name of Appellant(s) Grandview Park Home Owners Association			
Mailing Address 24 Grandview Rise	Municipality Calgary	Province Ab	

Site Information	
Municipal Address	Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) Lot 1 Block 1 Plan 0310130
Property Roll # 04715001	Development Permit, Subdivision Application, or Enforcement Order # PRDP 20193124

I am appealing: (check one box only)		
Development Authority Decision <input type="checkbox"/> Approval <input checked="" type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Subdivision Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Decision of Enforcement Services <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order

Reasons for Appeal (attach separate page if required) Refer to attached document <div style="text-align: right; margin-top: 200px;">  </div>

This information is collected for the Subdivision and Development Appeal Board or Enforcement Appeal Committee of Rocky View County and will be used to process your appeal and to create a public record of the appeal hearing. The information is collected in accordance with the *Freedom of Information and Protection of Privacy Act*. If you have questions regarding the collection or use of this information, contact the Municipal Clerk at 403-230-1401.

 Appellant's Signature <i>President Grandview Park HOA</i>	Dec. 2, 2019 Date
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Last updated: 2018 November 13

Page 1 of 2

Rocky View County
Department of Development

Dec. 2 2019

RE: REQUEST FOR APPEAL – APPLICATION # PRDP20193124, ROLL# 04715001, HORTICULTURE DEVELOPMENT, CONSTRUCTION OF AN ACCESSORY BUILDING (GREENHOUSE) (“Development”) IN RESPONSE TO NOTICE FROM ROCKY VIEW COUNTY (“County”) DATED NOVEMBER 12, 2019 (“Notice”) ON LOT 1, BLOCK 1, PLAN 0310130, SE-15-24-03-05; (242087 RGE RD 32, ROCKY VIEW COUNTY AB; 242089 RGE RD 32, ROCKY VIEW COUNTY AB; 242091 RGE RD 32, ROCKY VIEW COUNTY AB) (“Lot”)

Rocky View County,

As the Home Owner Association for Grandview Park (“Community”), a community of 59 residences and lots, we are submitting an appeal to the County in response to the Development provided in the Notice.

The Home Owner’s association has received concerns from its members related to this development and is submitting this appeal on behalf of all residents of the Community. It is the opinion of the Community That this development should not proceed as proposed for the following reasons:

1. **INDUSTRIALIZATION OF RESIDENTIAL AREA** - The Development is a greenhouse measuring 60m x 47.5m or 2850 sqm. This is an industrial scale manufacturing facility not suited to be within adjacent proximity to a residential development.
2. **NOISE POLLUTION** - The Development will increase personnel and commercial vehicle traffic through the single egress from the Lot, aggregately during working hours (7am-5pm), after working hours (5pm to 9pm) and during sleeping hours (9pm to 7am). Traffic from the single egress on the Lot already disrupts sleeping and is in excess of what should be permitted for a property adjacent to a residential development. Such traffic is made up of Dump trucks and semi-trailer movement of commercial vehicles. Any further industrialization of the Lot will reduce quality of life for residents of the Community beyond what the County should accept.
3. **REDUCTION IN PROPERTY VALUE** - The height of the Development has not been presented to the Community or any of its residents, but it is reasonable to estimate that a greenhouse of this size would likely be 2 stories tall. This visual eye sore directly obstructing mountain views and the noise pollution mentioned in item 2 above are likely to reduce property values of several lots adjacent to the development.
4. **CANNIBIS CONVERSION** – Although the application is clear that the purpose of this greenhouse is for fruits and vegetables, it will be much easier to apply for converted use as a cannabis growing operation, once the building is constructed. Such a facility is not conducive to a quality of life in a residential community where young children live and are raised. Given the limited existence of industrial greenhouses in the County comparable to the Development, it is not unreasonable to speculate this as a purported final objective of the landowner submitting this application.

Since Rocky View County has approved the development the community of Grandview would like to propose conditional actions for the County to impose on the approval of the permit application of the Development that would mitigate the above concerns:

1. **LOCATION CHANGE** – County should request that the greenhouse be located in the northern and western most portion (pending setbacks) of the Lot.
2. **LOT EGRESS** – County shall require the closure of the current egress to RGE RD 32 from the Lot and require a second egress point created at the northern most section of the Lot on RGE RD 32. This will move any industrial traffic to the furthest most point away from the residences

3. **NOISE BARRIER** – The Applicant must construct a noise barrier on the western side of residential properties, either as a 20' high berm and/or a hedge of tightly packed spruce trees.

4. **PROPERTY VALUE LOSS MITIGATION** – Residences of the Community whose property values are most affected by the Development will have a loss assessment prepared by a designated appraiser, like AIC. The variance in property values will then be covered by the applicant. Such variance will be noted by the County as a mitigative factor when considering property tax payments.

5. **Light Pollution from a greenhouse** - 24/7 light potential from artificial lighting. Light barrier is required in the form of densely packed 20 ft spruce fence or berm.

6. **Smell from greenhouse** (fertilizer, compost, chemical) Grandview in downwind from this structure. Developer must suppress and contain any odor causing substances.

Thank you for your consideration of this appeal to the Development. I look forward to hearing back from you at your earliest convenience.

Grandview Homeowners Association
Martin Teitz
President



ROCKY VIEW COUNTY

262075 Rocky View Point
Rocky View County, AB, T4A 0X2

403-230-1401
questions@rockyview.ca
www.rockyview.ca

THIS IS NOT A DEVELOPMENT PERMIT

Please note that the appeal period *must* end before this permit can be issued and that any
Prior to Issuance conditions (if listed) *must* be completed.

NOTICE OF DECISION

1885807 Alberta Ltd. (Marcus Schulz)
31 Windhorse Green
Calgary, AB T3Z 0B4

Page 1 of 3

Tuesday, November 12, 2019

Roll: 04715001

RE: Development Permit #PRDP20193124

Lot 1 Block 1 Plan 0310130, SE-15-24-03-05; (242087 RGE RD 32)

The Development Permit application for Horticulture Development, construction of an accessory building (greenhouse) has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

Description:

- 1) That Horticulture Development, construction of an accessory building (greenhouse) approximately 2,562.00 sq. m (27,577.14 sq. ft.) in area may be constructed on the subject lands in general accordance with the site plan, drawings submitted with the application and conditions of this permit.

Prior to Issuance:

- 2) That prior to issuance of this permit, the Applicant/Owner shall submit payment of the Transportation Offsite Levy for the 'Development Area' in accordance with the Transportation Offsite Levy Bylaw.
 - i. A revised Site Plan shall be submitted, identifying the 'Development Area' of the proposal. *Note, the 'Development Area' shall include the driveway access, all structures (buildings), the storage and display areas directly associated with the use, the required landscaping and parking areas as defined in the Land Use Bylaw, and any other area used for development purposes.*
- 3) That prior to issuance of this permit, the Applicant/Owner shall contact County Road Operations to determine if a Road Use Agreement and/or any Road Data Permits are required for the importing of fill and topsoil, removal of any excess fill, and for the mobilization and demobilization of any construction equipment to and from the subject site utilizing any County Roads.



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Rocky View County, AB, T4A 0X2

403-230-1401
questions@rockyview.ca
www.rockyview.ca

1885807 Alberta Ltd. (Marcus Schulz) Page 2 of 3
#PRDP20193124

- i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any requirement agreement or permits shall be obtained unless otherwise noted by County Road Operations.
- 4) That prior to issuance of this permit, the Applicant/Owner shall submit a water and wastewater servicing plan.
 - i. That should the Applicant/Owner tie into Westridge Water Co-Op, confirmation from the Co-Op ensuring that sufficient capacity is available and has been allocated, shall be provided.
- 5) That prior to issuance of this permit, the Applicant/Owner shall submit a Site-Specific Stormwater Implementation Plan (SSIP), conducted by a qualified professional that is consistent with the conditions set in the Springbank Master Site Development Plan (MSDP) and the Springbank Creek Catchment Drainage Plan.
 - i. The Applicant/Owner is responsible for following the recommendations outlined in the Site-Specific Stormwater Implementation Plan.
- 6) That prior to issuance of this permit, the Applicant/Owner shall submit an erosion and sediment control plan, in accordance with County Servicing Standards.
- 7) That prior to issuance of this permit, the Applicant/Owner shall submit a construction management plan, in accordance with County Servicing Standards. The plan shall address noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details.

Permanent:

- 8) That the proposed Accessory Building (greenhouse) shall not be used for residential occupancy purposes at any time.
- 9) That the exterior siding and roofing materials of the Accessory Building (greenhouse) shall be similar/ cohesive to the existing dwelling, single-detached and/or area.
- 10) That there shall be no more than 1.00 m (3.28 ft.) of fill placed adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction, which is used to establish approved final grades unless a Development Permit has been issued for additional fill and topsoil.
- 11) That all on-site lighting shall be dark sky, and all private lighting, including site security lighting and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight. All development shall demonstrate lighting design that reduces the extent of spill-over glare, and eliminates glare as viewed from nearby residential properties.
- 12) That any garbage containers shall be weather and animal proof and shall be completely screened from view from all adjacent properties and public thoroughfares.
- 13) That all employee parking is restricted to onsite only. There shall be no parking permitted within the County road allowance.



ROCKY VIEW COUNTY

262075 Rocky View Point
Rocky View County, AB, T4A 0X2

403-230-1401
questions@rockyview.ca
www.rockyview.ca

1885807 Alberta Ltd. (Marcus Schulz) Page 3 of 3
#PRDP20193124

- 14) That should water servicing be provided via groundwater wells, the Applicant/Owner shall be required to provide confirmation of a commercial water license from Alberta Environment and Parks.
- 15) That any proposed signage shall require a separate development permit.
- 16) That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application or submitted in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity including any recommendations of the above SSIP.

Advisory:

- 17) That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
- 18) That during construction of the Accessory Building, all construction and building materials shall be maintained on site, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
- 19) That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.
- 20) That a Building Permit or Farm Building Location Permit and sub-trade permits shall be obtained through Building Services, prior to any construction taking place.
- 21) That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Authority.
- 22) That if this Development Permit is not issued by **JULY 31, 2020**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, December 3, 2019**, a Development Permit may be issued, unless there are specific conditions which need to be met prior to issuance. If an appeal is received, then a Development Permit will not be issued unless and until the decision to approve the Development Permit has been determined by the Development Appeal Committee.

Regards,

Development Authority
Phone: 403-520-8158
Email: development@rockyview.ca

THIS IS NOT A DEVELOPMENT PERMIT



ROCKY VIEW COUNTY
Cultivating Communities

20193124

APPLICATION FOR A DEVELOPMENT PERMIT

Fee Submitted 81073.0	File Number 04715001
Date of Receipt SEP 3/19	Receipt # 021978

Name of Applicant 1885807 Alberta Ltd. Email marc@hydtagreens.ca

Mailing Address 31 Windhorse Green

Calgary, AB

Postal Code T3Z 0B4

Telephone (B) 403-613-4565 (H)

Fax 403-776-3239

For Agents please supply Business/Agency/ Organization Name _____

Registered Owner (if not applicant) 2001700 Alberta Ltd.

Mailing Address 6 Springshire Place, Calgary, AB

Postal Code T3Z 3L2

Telephone (B) _____

(H) _____

Fax _____

1. LEGAL DESCRIPTION OF LAND

a) All / part of the SE ¼ Section 5 Township 3 Range 24 West of 15 Meridian

b) Being all / parts of Lot 1 Block 1 Registered Plan Number 031030

c) Municipal Address 242087, 242089, 242091 Range Rd. 32

d) Existing Land Use Designation Agriculture Parcel Size 8.094 Hect Division _____

2. APPLICATION FOR

Developing horticultural business
-indoor vegetable growing facility.

3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes _____ No ☒
- b) Is the proposed parcel within 1.5 kilometres of a sour gas facility?
(Sour Gas facility means well, pipeline or plant) Yes _____ No ☒
- c) Is there an abandoned oil or gas well or pipeline on the property? Yes _____ No ☒
- d) Does the site have direct access to a developed Municipal Road? Yes ☒ No _____

4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

Marcus W. Schulz hereby certify that _____ I am the registered owner
(Full Name in Block Capitals)

☒ I am authorized to act on the owner's behalf

and that the information given on this form
is full and complete and is, to the best of my knowledge, a true statement
of the facts relating to this application.

Affix Corporate Seal
here if owner is listed
as a named or
numbered company

Applicant's Signature _____

Date Aug 27/2019

Owner's Signature _____

Date Aug 28, 2019

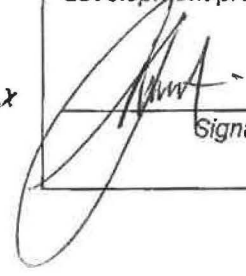
5. RIGHT OF ENTRY

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.


 Applicant's/Owner's Signature

Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government Act, R.S.A 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner/Applicant) are deemed to consent to its public release. Information provided will only be directed to the Public Information Office, 262075 Rocky View Point, Rocky View County, AB, T4A 0X2; Phone: 403-520-8199.

I, William Engelbrecht, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.


 Signature

August 28, 2019.
 Date



HYDRA GREENS

PRODUCE LTD.

CONTACT

Marc Schulz
1885807 Alberta Ltd.
31 Windhorse Green
Calgary, Alberta T3Z0B4
marc@hydragreens.ca
403-613-4565

ROCKY VIEW COUNTY

AUGUST 23, 2019

Dear Rocky View County,

The following outlined the proposal for the location with the legal description; Lot1, Block 1, Plan 031 0130

Municipal address; 242087, 242089, 242091 Range Road 32
Rocky View County, Alberta.

Our company 1885807 Alberta Ltd is asking for a development permit for this location. We would be putting on a building to be used for indoor growing of produce. (not cannabis). The building is similar to a warehouse and will house a number of sea can type containers that will do the growing. A generator will be utilized for power. The building would be designed and built to suit our business and would be approximately 130 ft (40 M) by 200 ft (60 M). Attached is a rendering of the building design.

The proposed location is to use the north end of the property and keep to the north side of the existing treeline. There would be very few staff to manage this horticultural business (less than 10) and light weight delivery trucks to transport the supplies and product.

We would like to get moving on this project so that we can build as soon as possible and take advantage of our fall weather.

Thank you for your consideration.

Sincerely,

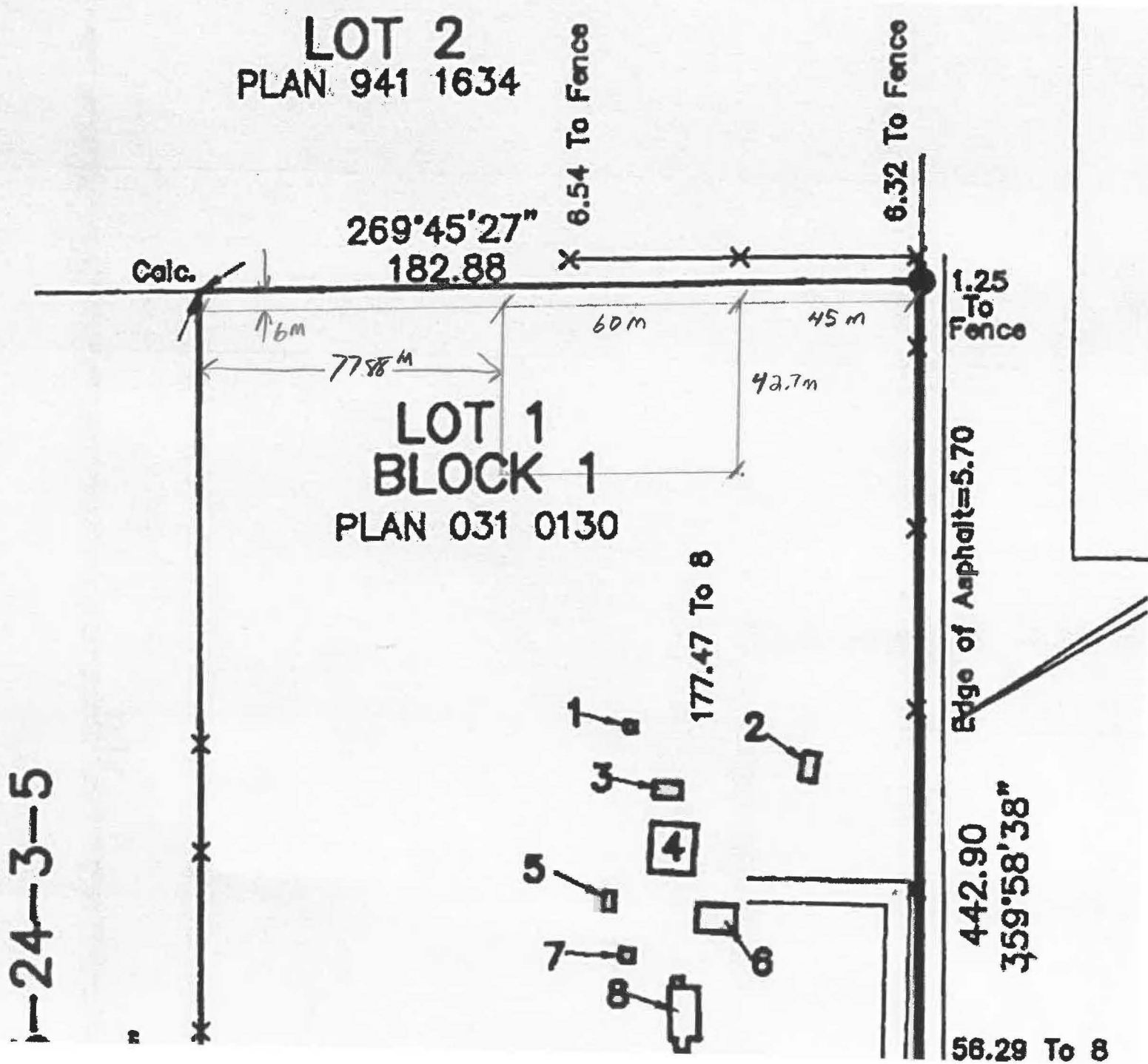
Marc
Schulz



MARC@HYDRAGREENS.CA







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S.E. 1/4 SEC. 15-24-3-5

LOT 1, BLOCK 1, PLAN 031 0130

242087, 242089, 242091 RANGE ROAD 32
ROCKY VIEW COUNTY, ALBERTA

SCALE = 1: 3000 metric

I, R. KEVIN JONES, ALBERTA LAND SURVEYOR, DO HEREBY CERTIFY THAT:

- DATED THIS DAY OF JULY, 2017

NOTES:

- PURPOSE:**
THIS REPORT AND RELATED PLAN HAVE BEEN PREPARED FOR THE BENEFIT OF THE PROPERTY OWNER, SUBSEQUENT OWNERS AND ANY OF THEIR AGENTS FOR THE PURPOSE OF (A LAND CONVEYANCE, SUPPORT OF A SUBDIVISION APPLICATION, A MORTGAGE APPLICATION, A SUBMITTAL TO THE MUNICIPALITY FOR A COMPLIANCE CERTIFICATE, ETC.). COPYING IS PERMITTED ONLY FOR THE BENEFIT OF THESE PARTIES, AND ONLY IF THE PLAN REMAINS ATTACHED. WHERE APPLICABLE, REGISTERED EASEMENTS AND UTILITY RIGHTS OF WAY AFFECTING THE EXTENT OF THE PROPERTY HAVE BEEN SHOWN ON THE ATTACHED PLAN, UNLESS SHOWN OTHERWISE, PROPERTY CORNER MARKERS HAVE NOT BEEN PLACED DURING THE SURVEY FOR THIS REPORT. THE ATTACHED PLAN SHOULD NOT BE USED TO ESTABLISH BOUNDARIES DUE TO THE RISK OF MISINTERPRETATION OR MEASUREMENT ERROR BY THE USER. THE INFORMATION SHOWN ON THIS REAL PROPERTY REPORT REFLECTS THE STATUS OF THE PROPERTY AS OF THE DATE OF SURVEY ONLY. USERS ARE ENCOURAGED TO HAVE THE REAL PROPERTY REPORT UPDATED FOR FUTURE REQUIREMENTS.

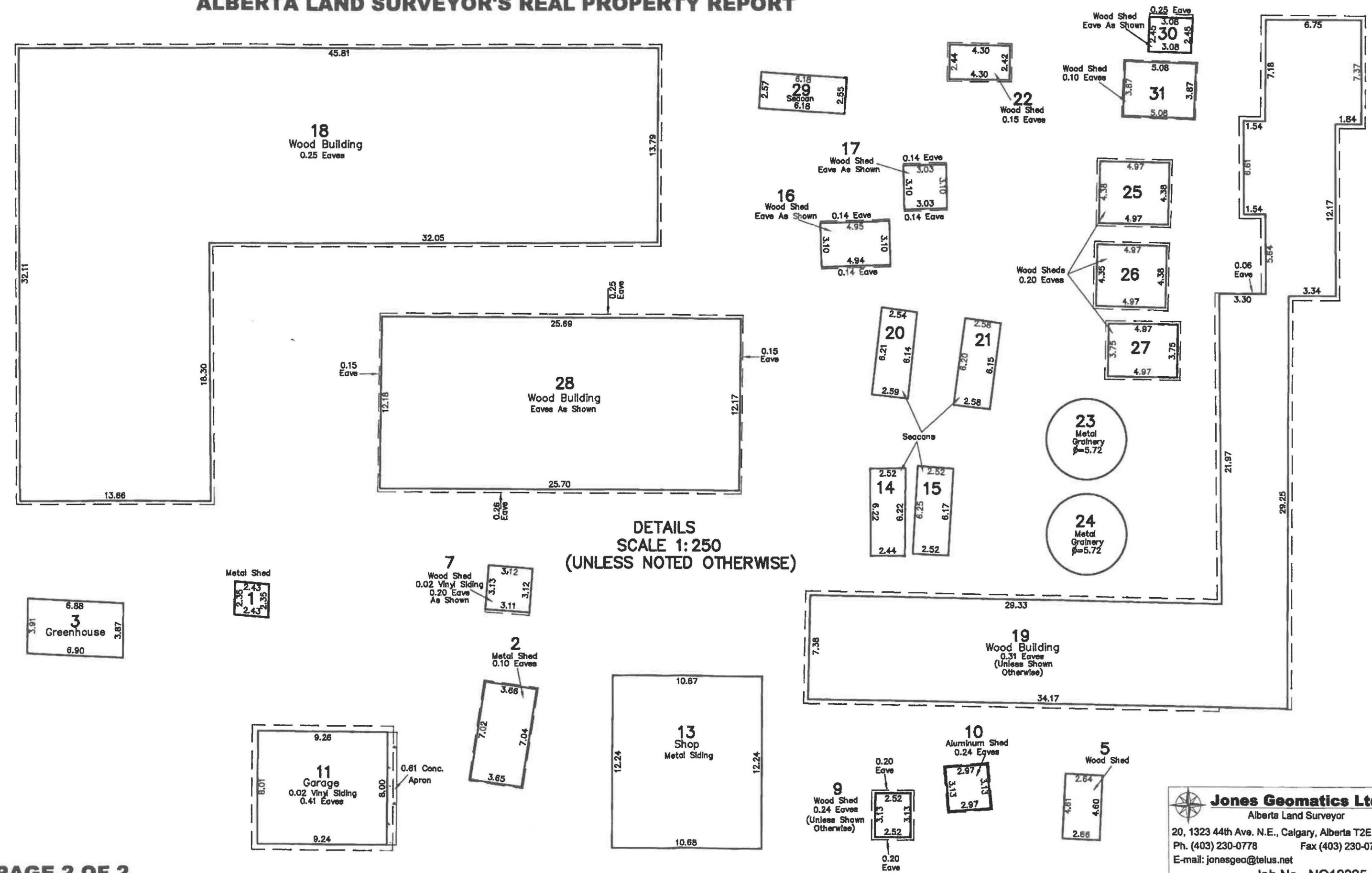
20, 1323 44th Ave. N.E., Calgary, Alberta T2E 6L5
Ph. (403) 230-0778 Fax (403) 230-0714
E-mail: jonesgeo@telus.net

Job No. NO12225-17

JB/KH/AS

THIS DOCUMENT IS NOT VALID UNLESS IT BEARS AN ORIGINAL SIGNATURE
(IN BLUE INK) AND A JONES GEOMATICS LTD. PERMIT STAMP (IN RED INK)

ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT





PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision and Development Appeal Board

DATE: Friday, December 20, 2019 **DIVISION:** 8

FILE: 06712074 **APPLICATION:** B-2; PRDP20193187

SUBJECT: Single-Lot Regrading

PROPOSAL: Single-lot regrading and placement of clean fill, the construction of berms, and the installation of a culvert.	GENERAL LOCATION: Located approximately 0.41 km (1/4 mile) south of Twp. Rd. 262 and 0.41 km (1/4 mile) west of Rge. Rd. 30
APPLICATION DATE: September 6, 2019	DEVELOPMENT AUTHORITY DECISION: Discretionary – Approved
APPEAL DATE: December 2, 2019	DEVELOPMENT AUTHORITY DECISION DATE: November 12, 2019
APPELLANT: Blum, Jim	APPLICANT: Aljalgah, Daniel
LEGAL DESCRIPTION: Lot 31 Block 2 Plan 9910521, NE-12-26-03-W05M	MUNICIPAL ADDRESS: 103 NORTH VALLEY BAY
LAND USE DESIGNATION: Residential Two District (R-2)	GROSS AREA: ± 1.60 hectares (± 3.95 acres)
PERMITTED USE: The placing of fill, construction of berms, and installation of a culvert may be allowed in any land use district, providing that a Development Permit and/or other County approved mechanism for approval has been issued to verify there is no adverse effect on adjacent lands as a result of any drainage alteration.	DEVELOPMENT VARIANCE AUTHORITY: N/A
PUBLIC SUBMISSIONS: The application was circulated to 40 adjacent landowners. At the time this report was prepared, no letters were received in support or objection to the application.	LAND USE POLICIES AND STATUTORY PLANS: <ul style="list-style-type: none"> • County Plan (C-7280-2013) • Bearspaw Area Structure Plan (C-4129-93) • Land Use Bylaw (C-4841-97) • Jewel Valley Conceptual Scheme (C-4461-95)

EXECUTIVE SUMMARY:

The proposal is for single-lot regrading of the subject property, the construction of six berms, and the installation of a culvert. The intent of the proposal is to fill in low areas of the property to create suitable surfaces for tree planting and to construct privacy berms for the approach and along the south side of the property. The installation of a culvert is intended to ensure that existing drainage patterns are retained.

Stripping and grading is a discretionary development in all land use districts in Rocky View County. Typically, applications of this nature take significant care to ensure that drainage patterns have not been altered in such a manner as to cause off-site impacts. Specifically, the subject lands are within the Bearspaw-Glenbow Master Drainage Plan, so it is imperative that any alterations made to the property maintain existing drainage routes. Conformance to the Master Drainage Plan can be verified through conditions. As such, the application was conditionally approved on November 12, 2019.

On December 2, 2019, an adjacent landowner appealed the decision of the Development Authority. The reasons for the appeal are noted in the agenda package.

PROPERTY HISTORY:

February 5, 2019	Building permit (PRBD20160275) for the construction of a single family dwelling was granted final occupancy.
February 19, 1999	Plan 9910521 was registered for the creation of 23 lots, including the subject parcel, in Phase 3 of the Jewel Valley subdivision.

APPEAL:

See attached report and exhibits.

Respectfully submitted,



Sean MacLean
Supervisor, Planning and Development Services

SKh/llt

DEVELOPMENT PERMIT REPORT

Application Date: September 06, 2019	File: 06712074
Application: PRDP20193187	Applicant/Owner: Aljalgah, Daniel
Legal Description: Lot 31, Block 2, Plan 9910521, NE-12-26-03-05	General Location: located approximately 0.41 km (1/4 mile) south of Twp. Rd. 262 and 0.41 km (1/4 mile) west of Rge. Rd. 30
Land Use Designation: Residential Two District (R-2)	Gross Area: 3.95 acres
File Manager: Sandra Khouri	Division: 08

PROPOSAL:

The proposal is for the single-lot regrading and placement of clean fill, the construction of berms, and the installation of a culvert.

The intent of the proposal is to fill in low areas, create suitable surfaces for tree planting, to construct privacy berms, and to place a culvert for drainage retention. The Applicant has indicated that there will be no impact the existing wetland and the direction of drainage will be unchanged.

The work to be completed includes the following:

- Two privacy berms (L 13.00 m x W 6.00 m x H 0.90 m and L 13.00 m x W 5.00 m x H 0.90 m) on either side of the driveway, including trees;
- Four privacy berms (L 19.00 m to 40.00 m x W 6.00 m x H 0.90 m) along the south property line, including trees;
- The placement of a culvert just north of the dwelling to facilitate a drainage path towards the existing wetland;
- The filling of a low area just south of the dwelling (L 42.00 m x W 18.00 m);
- The filling of a low area to the north of the dwelling and along the north and east property lines;
- Total grading area = 0.39 ha (0.96 acres)
- All disturbed areas will be reseeded.

STATUTORY PLANS:

The subject property is located within the Bearspaw Area Structure Plan. The property also falls under the non-statutory plan of the Jewel Valley Conceptual Scheme. Neither plan provides any policy guidance on applications for stripping and grading. As such, this application was evaluated in accordance with the Land Use Bylaw.

INSPECTOR'S COMMENTS:

October 3, 2019

- No activity on site at time of inspection
- Bobcat on site, grading work has been done
- Many piles of fill present on north and south sides of property
- Culvert at driveway visible, only open on one side (north side)
- Placed dirt observed around entire parcel
- Wetland/slew unaltered on east side

CIRCULATIONS:Alberta Environment and Parks

No comments received.

Development Compliance Officer Review

No comments received.

Engineering Services Review (November 07, 2019)**General**

- The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures.
- Prior to the issuance of the DP, the applicant will be required to provide a security for the stripping and grading of the subject lands calculated at \$5000 per disturbed acre. The disturbed area shall be calculated based on the final site plan.

Geotechnical - Section 300.0 requirements:

- The applicant is proposing to place between 1.2m and 3.0m of fill in certain areas of the subject lands. As a permanent condition, the applicant will be required to provide record of compaction testing, prepared by a qualified professional, for the areas where the placement of fill is greater than 1.2m in depth.

Transportation - Section 400.0 requirements:

- Prior to the issuance of the DP, the applicant is required to contact County Road Operation to determine if any Road Use Agreement is required for the hauling of the fill to the subject lands.
- The proposed development is solely for stripping and grading and does not create an impact on the County road network, as such the Applicant is not required to pay the Transportation Off-site Levy.

Sanitary/Waste Water - Section 500.0 requirements:

- ES has no requirements at this time.

Water Supply And Waterworks - Section 600.0 & 800.0 requirements:

- ES has no requirements at this time.

Storm Water Management – Section 700.0 requirements:

- The subject lands are within the Bearspaw-Glenbow Master Drainage Plan and as such it is imperative that any alterations made to the property maintain existing drainage routes.
- Prior to issuance the DP, the applicant shall provide a grading analysis, prepared by a qualified professional, analyzing the pre and post fill grades to ensure there are no adverse impacts to adjacent properties. The analysis should also confirm that the proposed CSP culvert is sized appropriately.
- As a permanent condition the applicant will be required to implement the recommendations of the grading analysis.
- Prior to the issuance of the DP, the applicant is required to provide an Erosion and Sedimentation Control (ESC) plan identifying all necessary ESC measures to be implemented to prevent the transfer of dust and silt to the roadside ditch and neighboring properties

Environmental – Section 900.0 requirements:

- ES has no requirements at this time.

Transportation

Applicant to contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.

Agricultural Services

No agricultural concerns. The applicant will need to ensure compliance with the Alberta Weed Control Act and be personally prepared, or have a contractor available, for invasive species control.

Utility Services

No Concerns.

OPTIONS:Option #1 (this would allow the work to proceed)

The appeal against the decision of the Development Authority to issue a Development Permit for the single-lot regrading and placement of clean fill, the construction of berms, and the installation of a culvert, on Lot 31, Block 2, Plan 9910521, NE-12-26-03-W05M (103 NORTH VALLEY BAY) be denied, that the decision of the Development Authority be upheld, and that a Development Permit be issued, subject to the following conditions:

Description:

- 1) That single-lot regrading and the placement of clean fill, the construction of berms, and the installation of a culvert shall be permitted in general accordance with the drawings submitted with the application and the conditions of this permit.

Prior to Issuance:

- 2) That prior to the issuance of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
- 3) That prior to issuance of this permit, the Applicant/Owner shall submit a grading analysis, prepared by a qualified professional, analyzing the pre and post fill grades to ensure there are no adverse impacts to adjacent properties, in accordance with County Servicing standards. The analysis shall also confirm that the proposed CSP culvert is sized appropriately.
- 4) That prior to issuance of this permit, the Applicant/Owner shall submit an Erosion and Sedimentation Control (ESC) plan, identifying all necessary ESC measures to be implemented to prevent the transfer of dust and silt to the roadside ditch and neighboring properties, in accordance with County Servicing standards.

Permanent:

- 5) That for all areas where over 1.2 m of fill is placed, the Applicant/Owner shall provide a Deep Fill Report, prepared by a qualified professional, providing the compaction testing of the fill and general recommendations for the suitability of different types of building foundations as there is potential that future landowners could construct a structure over the filled area.
- 6) That upon completion of the proposed development, the Applicant/Owner shall submit an as-built survey, confirming that the development proposal and post grades align with the supporting technical submissions for the file.
- 7) That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a Prior to Issuance condition shall be implemented and adhered to in perpetuity, including the grading analysis.
- 8) That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
- 9) That the Applicant/Owner shall take effective measures to control dust in the regrading area of the subject property, so that dust originating therein shall not cause annoyance or become a nuisance to adjoining property owners and others in the vicinity.
 - a. That if at any time the removal or handling of the fill creates a visible dust problem, the removal or handling of the fill shall cease immediately until remedial measures are taken.
- 10) That any material entering to or leaving from the site, shall be hauled on/off in a covered trailer/truck, which will prevent blowing of dust/small rocks onto the road or cause issues with other vehicles on the road.
- 11) That with the removal of any fill, the Applicant/Owner shall take whatever means necessary to avoid the transfer of dirt onto public roadways.
- 12) That the clean-up of any mud tracking and/or dirt that enters onto adjacent Highway and/or County roads during hauling shall be the responsibility and cost of the Applicant/Owner for clean-up.
- 13) That no topsoil shall be removed from the subject property.
- 14) That the fill shall not contain construction rubble or any hazardous substances, including but not limited to large concrete, rebar, asphalt, building materials, organic materials, or other metal.
- 15) That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the Development Officer.
- 16) That the proposed graded area, if possible, shall have a minimum of six inches of topsoil placed on top, which shall then be spread and seeded to native vegetation, farm crop, or landscaped, to the satisfaction of the County.

Advisory:

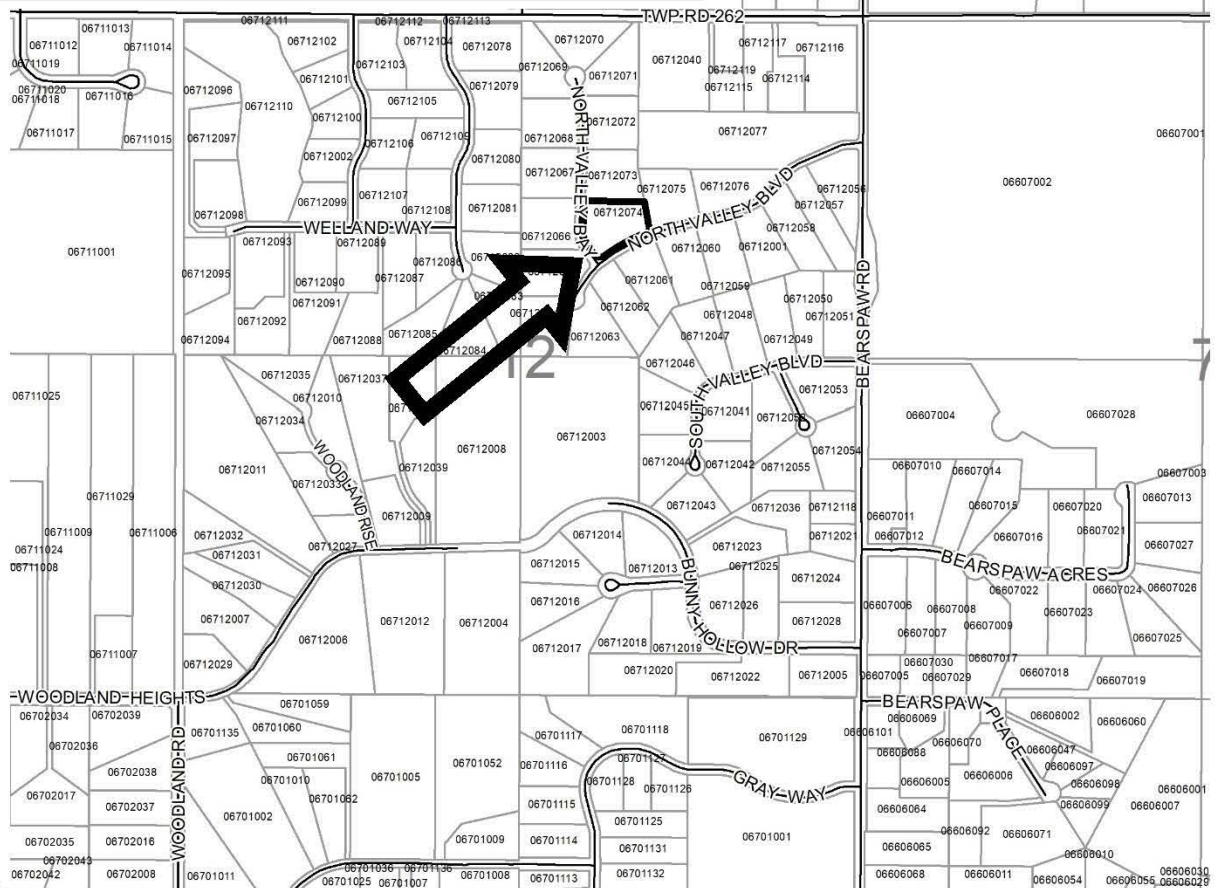
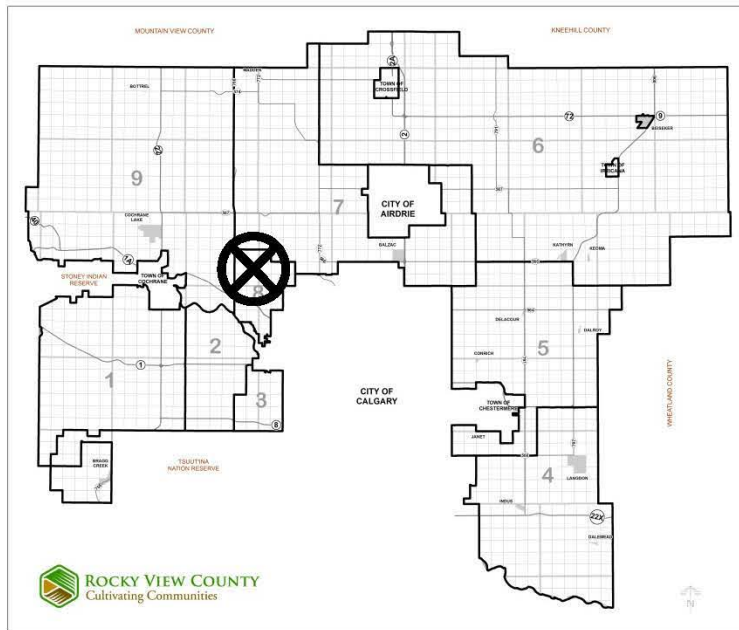
- 17) That the Applicant/Owner shall be responsible for weed control and shall adhere to the regulations in the Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1 , December 2017] at all times.
- 18) That should there be any work to impact any wetlands, the Applicant/Owner shall obtain all Alberta Environment approvals and permits for working in and/or near wetlands. A copy of all applicable Alberta Environment (AE) approvals or written verification from AE that approvals are not required shall be provided before commencing any work.

- 19) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- 20) That if the development authorized by this Development Permit is not completed within 12 months of the date of permit issuance, the permit is deemed to be null and void.
- 21) That if this Development Permit is not issued by **JUNE 30, 2020** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

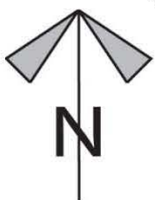
Note: That the Applicant/Owner shall be responsible for all Alberta Environment approvals/ compensation as there may be wetlands on site that could be impacted by the proposed placement of topsoil.

Option #2 (this would not allow the work to proceed)

The appeal against the decision of the Development Authority to issue a Development Permit for the single-lot regrading and placement of clean fill, the construction of berms, and the installation of a culvert, on Lot 31, Block 2, Plan 9910521, NE-12-26-03-W05M (103 NORTH VALLEY BAY) be upheld, and that the decision of the Development Authority be revoked.



LOCATION PLAN

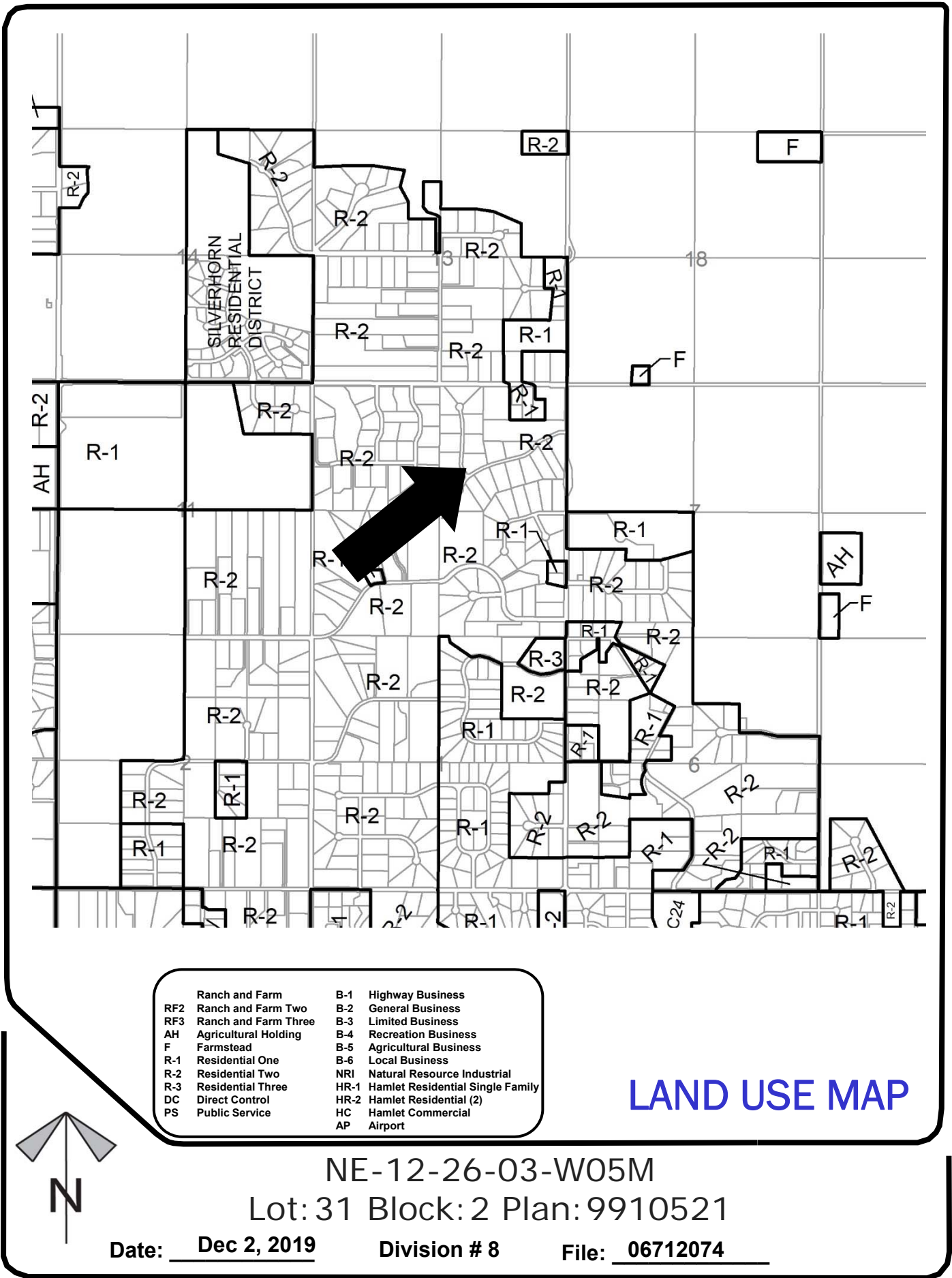


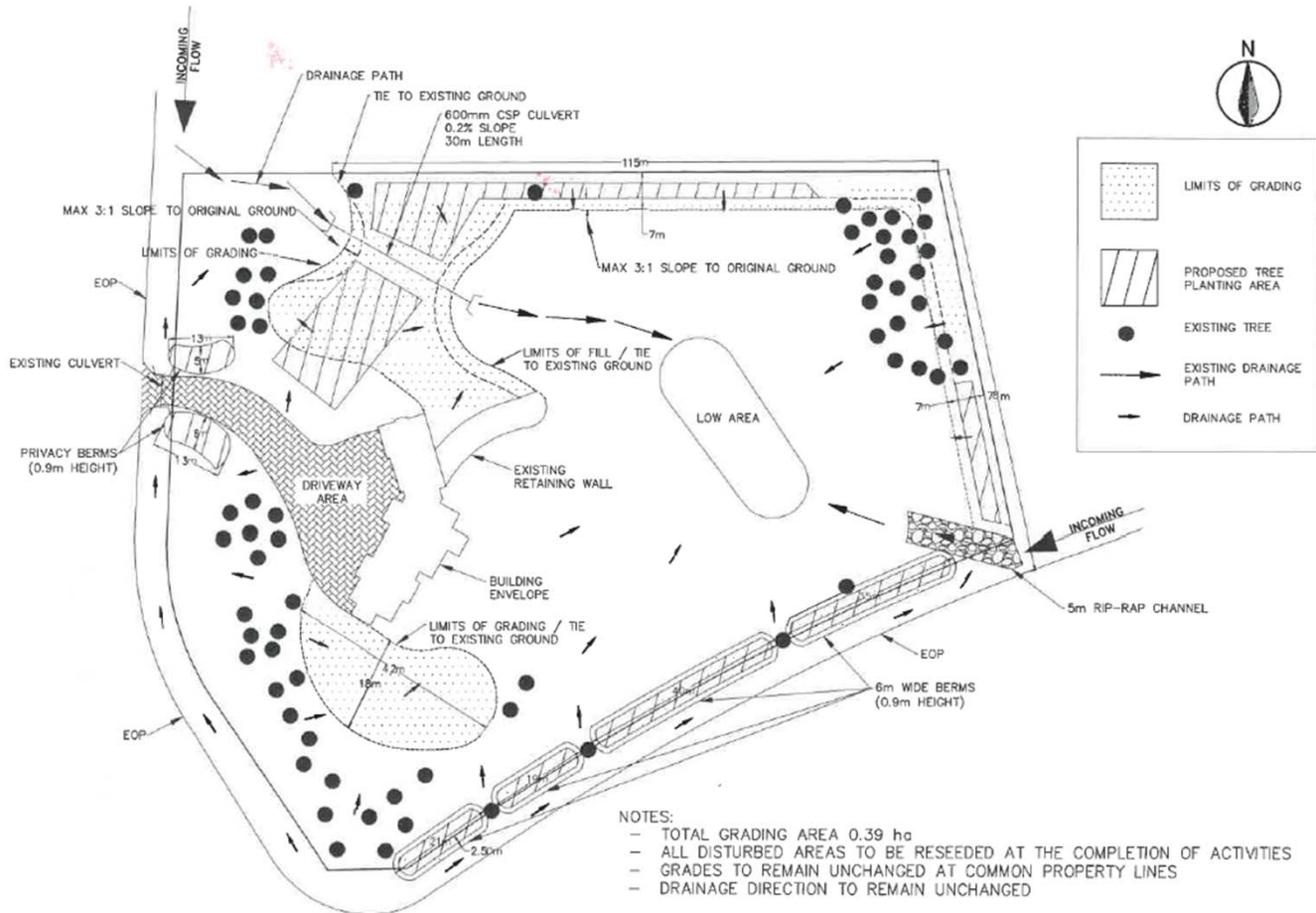
NE-12-26-03-W05M
Lot: 31 Block: 2 Plan: 9910521

Date: Dec 2, 2019

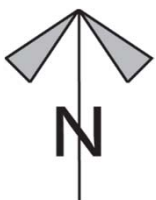
Division # 8

File: 06712074





SITE PLAN



NE-12-26-03-W05M
Lot: 31 Block: 2 Plan: 9910521

Date: Dec 2, 2019

Division # 8

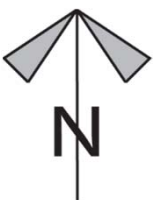
File: 06712074



Note: Post processing of raw aerial
photography may cause varying degrees
of visual distortion at the local level.

AIR PHOTO

Spring 2018



NE-12-26-03-W05M
Lot: 31 Block: 2 Plan: 9910521

Date: Dec 2, 2019

Division # 8

File: 06712074

Looking north from the approach

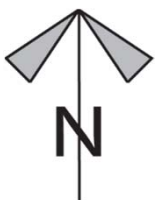


Looking east from North Valley Bay



INSPECTION PHOTO

October 2019



NE-12-26-03-W05M
Lot: 31 Block: 2 Plan: 9910521

Date: Dec 2, 2019

Division # 8

File: 06712074

Looking north from North Valley Boulevard

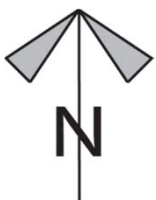


Looking north from North Valley Boulevard



INSPECTION PHOTO

October 2019

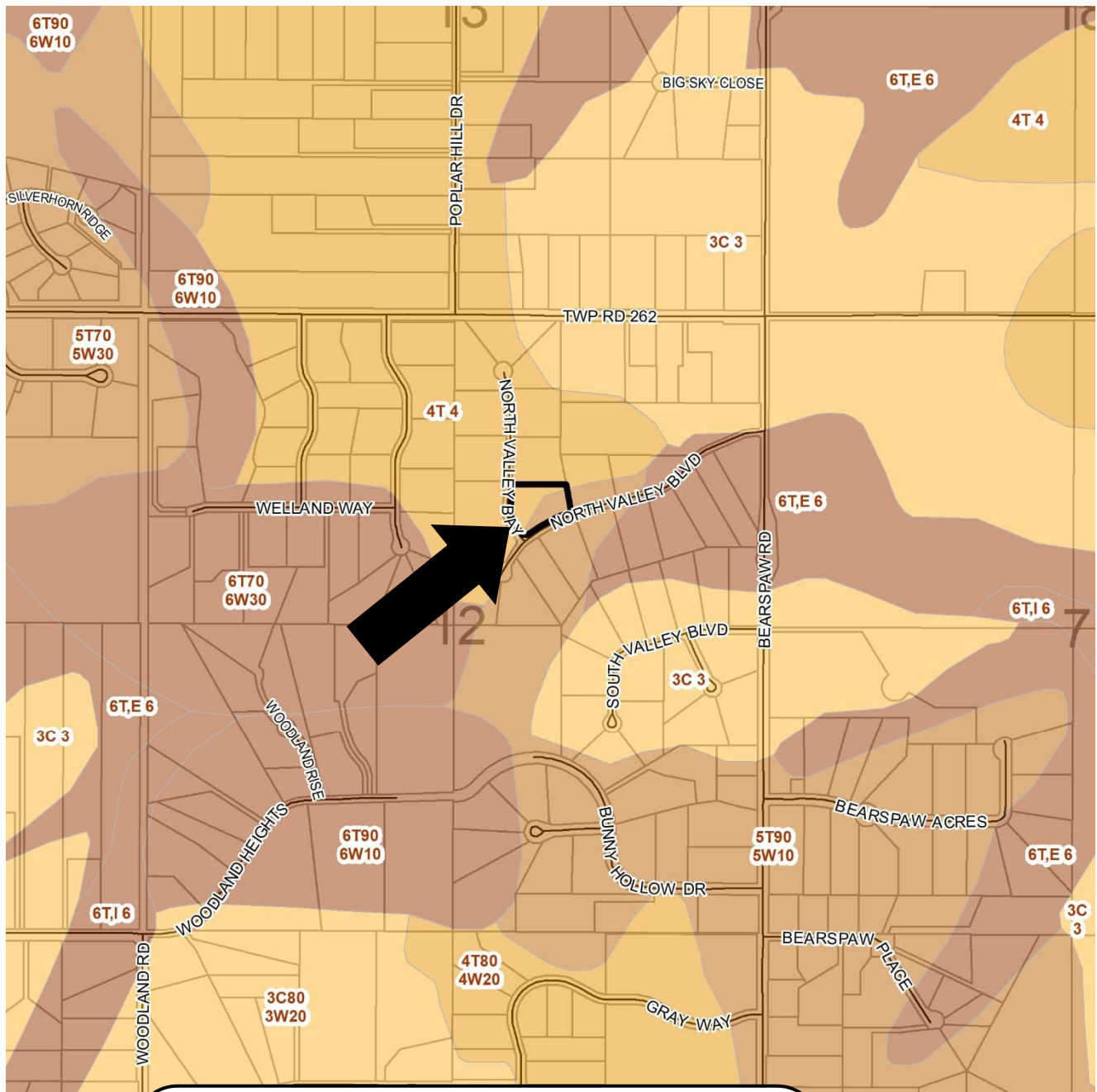


NE-12-26-03-W05M
Lot: 31 Block: 2 Plan: 9910521

Date: Dec 2, 2019

Division # 8

File: 06712074



LAND CAPABILITY CLASSIFICATION LEGEND
Limitations refer to cereal, oilseeds and tame hay crops

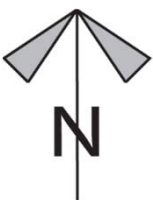
CLI Class

- 1 - No significant limitation
- 2 - Slight limitations
- 3 - Moderate limitations
- 4 - Severe limitations
- 5 - Very severe limitations
- 6 - Production is not feasible
- 7 - No capability

Limitations

- B - brush/tree cover
- C - climate
- D - low permeability
- E - erosion damage
- F - poor fertility
- G - Steep slopes
- H - temperature
- I - flooding
- J - field size/shape
- K - shallow profile development
- M - low moisture holding, adverse texture
- N - high salinity
- P - excessive surface stoniness
- R - shallowness to bedrock
- S - high sodicity
- T - adverse topography
- U - prior earth moving
- V - high acid content
- W - excessive wetness/poor drainage
- X - deep organic deposit
- Y - slowly permeable
- Z - relatively impermeable

SOIL MAP

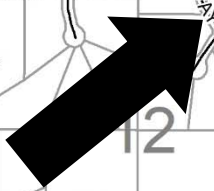


NE-12-26-03-W05M
Lot: 31 Block: 2 Plan: 9910521

Date: Dec 2, 2019

Division # 8

File: 06712074



- First two numbers of the Plan Number indicate the year of subdivision registration.
- Plan numbers that include letters were registered before 1973 and do not reference a year

Date: Dec 2, 2019 **Division #** 8 **File:** 06712074





Notice of Appeal Subdivision and Development Appeal Board Enforcement Appeal Committee

Appellant Information		
Name of Appellant(s) <u>Jim Blum (and neighbours)</u>		
Mailing Address <u>31 N Valley Blvd</u>	Municipality <u>Rocky View Div 8</u>	Province <u>AB</u>

Site Information	
Municipal Address <u>103 N Valley Bay</u>	Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) <u>NE 12-26-3-W5M</u>
Property Roll # <u>06712074</u>	Development Permit, Subdivision Application, or Enforcement Order # <u>PRDP 20193187</u>

I am appealing: (check one box only)		
Development Authority Decision <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Subdivision Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Decision of Enforcement Services <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order

Reasons for Appeal (attach separate page if required) <p>Work is substantially complete before issuance of permit. Fill dimensions including depth exceed what is shown on plan. Potential impact on drainage from adjacent properties. Road ditches have been infilled. Potential to impact wetland. Concerns/complaints addressed to MTD have not been resolved.</p>
--



This information is collected for the Subdivision and Development Appeal Board or Enforcement Appeal Committee of Rocky View County and will be used to process your appeal and to create a public record of the appeal hearing. The information is collected in accordance with the Freedom of Information and Protection of Privacy Act. If you have questions regarding the collection or use of this information, contact the Municipal Clerk at 403-230-1401.

James Q. Blum
Appellant's Signature

02 Dec 2019
Date



ROCKY VIEW COUNTY

262075 Rocky View Point
Rocky View County, AB, T4A 0X2

403-230-1401
questions@rockyview.ca
www.rockyview.ca

THIS IS NOT A DEVELOPMENT PERMIT

Please note that the appeal period *must* end before this permit can be issued and that any Prior to Issuance conditions (if listed) *must* be completed.

NOTICE OF DECISION

Aljalghah, Daniel

Page 1 of 3

Tuesday, November 12, 2019

Roll: 06712074

RE: Development Permit #PRDP20193187

Lot 31 Block 2 Plan 9910521, NE-12-26-03-05; (103 NORTH VALLEY BAY)

The Development Permit application for single-lot regrading and placement of clean fill, the construction of berms, and the installation of a culvert has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

Description:

1. That single-lot regrading and the placement of clean fill, the construction of berms, and the installation of a culvert shall be permitted in general accordance with the drawings submitted with the application and the conditions of this permit.

Prior to Issuance:

2. That prior to the issuance of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
3. That prior to issuance of this permit, the Applicant/Owner shall submit a grading analysis, prepared by a qualified professional, analyzing the pre and post fill grades to ensure there are no adverse impacts to adjacent properties, in accordance with County Servicing standards. The analysis shall also confirm that the proposed CSP culvert is sized appropriately.
4. That prior to issuance of this permit, the Applicant/Owner shall submit an Erosion and Sedimentation Control (ESC) plan, identifying all necessary ESC measures to be implemented to prevent the transfer of dust and silt to the roadside ditch and neighboring properties, in accordance with County Servicing standards.



Aljalgah, Daniel Page 2 of 3
#PRDP20193187

Permanent:

5. That for all areas where over 1.2 m of fill is placed, the Applicant/Owner shall provide a Deep Fill Report, prepared by a qualified professional, providing the compaction testing of the fill and general recommendations for the suitability of different types of building foundations as there is potential that future landowners could construct a structure over the filled area.
6. That upon completion of the proposed development, the Applicant/Owner shall submit an as-built survey, confirming that the development proposal and post grades align with the supporting technical submissions for the file.
7. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a Prior to Issuance condition shall be implemented and adhered to in perpetuity, including the grading analysis.
8. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
9. That the Applicant/Owner shall take effective measures to control dust in the regrading area of the subject property, so that dust originating therein shall not cause annoyance or become a nuisance to adjoining property owners and others in the vicinity.
 - a. That if at any time the removal or handling of the fill creates a visible dust problem, the removal or handling of the fill shall cease immediately until remedial measures are taken.
10. That any material entering to or leaving from the site, shall be hauled on/off in a covered trailer/truck, which will prevent blowing of dust/small rocks onto the road or cause issues with other vehicles on the road.
11. That with the removal of any fill, the Applicant/Owner shall take whatever means necessary to avoid the transfer of dirt onto public roadways.
12. That the clean-up of any mud tracking and/or dirt that enters onto adjacent Highway and/or County roads during hauling shall be the responsibility and cost of the Applicant/Owner for clean-up.
13. That no topsoil shall be removed from the subject property.
14. That the fill shall not contain construction rubble or any hazardous substances, including but not limited to large concrete, rebar, asphalt, building materials, organic materials, or other metal.
15. That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the Development Officer.
16. That the proposed graded area, if possible, shall have a minimum of six inches of topsoil placed on top, which shall then be spread and seeded to native vegetation, farm crop, or landscaped, to the satisfaction of the County.



ROCKY VIEW COUNTY

262075 Rocky View Point
Rocky View County, AB, T4A 0X2

403-230-1401
questions@rockyview.ca
www.rockyview.ca

Aljalgh, Daniel Page 3 of 3
#PRDP20193187

Advisory:

17. That the Applicant/Owner shall be responsible for weed control and shall adhere to the regulations in the Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1 , December 2017] at all times.
18. That should there be any work to impact any wetlands, the Applicant/Owner shall obtain all Alberta Environment approvals and permits for working in and/or near wetlands. A copy of all applicable Alberta Environment (AE) approvals or written verification from AE that approvals are not required shall be provided before commencing any work.
19. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
20. That if the development authorized by this Development Permit is not completed within 12 months of the date of permit issuance, the permit is deemed to be null and void.
21. That if this Development Permit is not issued by **JUNE 30, 2020** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Note: That the Applicant/Owner shall be responsible for all Alberta Environment approvals/ compensation as there may be wetlands on site that could be impacted by the proposed placement of fill/topsoil.

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, December 3, 2019**, a Development Permit may be issued, unless there are specific conditions which need to be met prior to issuance. If an appeal is received, then a Development Permit will not be issued unless and until the decision to approve the Development Permit has been determined by the Development Appeal Committee.

Regards,

Development Authority
Phone: 403-520-8158
Email: development@rockyview.ca

THIS IS NOT A DEVELOPMENT PERMIT



ROCKY VIEW COUNTY
Cultivating Communities

APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICIAL USE ONLY	
Fee Submitted \$465	File Number 06712074
Date of Receipt SEP 6/19	Receipt #

Name of Applicant Daniel Aljalgah Email [REDACTED]
Mailing Address [REDACTED]
Postal Code [REDACTED]
Telephone (B) _____ (H) [REDACTED] Fax _____
For Agents please supply Business/Agency/ Organization Name _____

Registered Owner (if not applicant) _____
Mailing Address _____
Postal Code _____
Telephone (B) _____ (H) _____ Fax _____

1. LEGAL DESCRIPTION OF LAND

- a) All / part of the NE $\frac{1}{4}$ Section 12 Township 26 Range 03 West of 05 Meridian
b) Being all / parts of Lot 31 Block 2 Registered Plan Number 9910521
c) Municipal Address 103 North Valley Bay
d) Existing Land Use Designation _____ Parcel Size 3.95 Division _____

2. APPLICATION FOR

Import and Placement of Fill, including the installation of a 600mm Culvert.

3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes _____ No X
b) Is the proposed parcel within 1.5 kilometres of a sour gas facility?
(Sour Gas facility means well, pipeline or plant) Yes _____ No X
c) Is there an abandoned oil or gas well or pipeline on the property? Yes _____ No X
d) Does the site have direct access to a developed Municipal Road? Yes X No _____

4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I DANIEL ALJALGAH hereby certify that X I am the registered owner
(Full Name in Block Capitals)

_____ I am authorized to act on the owner's behalf

and that the information given on this form
is full and complete and is, to the best of my knowledge, a true statement
of the facts relating to this application.

Affix Corporate Seal
here if owner is listed
as a named or
numbered company

Applicant's Signature Daniel Aljalgah
Date July 18, 2019

Owner's Signature Daniel Aljalgah
Date July 18, 2019

5. RIGHT OF ENTRY

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.

Daniel Aljalgah

Applicant's/Owner's Signature

Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government Act, R.S.A 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner/Applicant) are deemed to consent to its public release. Information provided will only be directed to the Public Information Office, 262075 Rocky View Point, Rocky View County, AB, T4A 0X2; Phone: 403-520-8199.

I, Daniel Aljalgah, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.

Daniel Aljalgah

Signature

July 18, 2019

Date



ROCKY VIEW COUNTY
Cultivating Communities

STRIPPING, FILLING, EXCAVATION AND GRADING

FOR OFFICE USE ONLY	
Fee Submitted \$465	File Number 06712074
Date of Receipt SEP 6/19	Receipt #

Name of Applicant Daniel Aljalgah

Address of Applicant [REDACTED]

Telephone (C) _____ (H) [REDACTED] (Fax) _____

1. NATURE OF THE APPLICATION

Type of application (Please check off all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Site stripping | <input checked="" type="checkbox"/> Re-contouring |
| <input checked="" type="checkbox"/> Filling | <input type="checkbox"/> Stockpiling |
| <input type="checkbox"/> Excavation (including removal of topsoil) | <input type="checkbox"/> Construction of artificial water bodies and/or dugouts |
| <input checked="" type="checkbox"/> Grading | <input checked="" type="checkbox"/> Other <u>Installation of Culvert</u> |

2. PURPOSE

What is the intent of the proposal? Import and Placement of Fill Material, Installation of a Corrugated Steel Pipe Culvert, Berm Construction

Indicate the effect(s) on existing drainage patterns or environmentally sensitive areas (i.e. riparian, wetland, waterbodies) (if applicable) _____

Drainage patterns are to remain the same, the intent of this grading is to fill low areas while maintaining the natural pond area. A drainage path will be contained and conveyed via a 600mm CSP Culvert.

☐ The fill does not contain construction rubble or any hazardous substances (please check)

3. TYPE

Height _____	Volume _____ meters cubed
Width _____	Truckload _____ (approximately)
Length _____	Slope Factor _____ (if applicable)
Area <u>8800</u> square metres	

** Please show all measurements in detail on your site plan.*

4. TERMS AND CONDITIONS

(a) General statement about conditions:

- The Development Authority may include any condition necessary to satisfy a Land Use Bylaw provision, a County Plan, Area Structure Plan, Conceptual Scheme, Master Site Development Plan policy and/or County Servicing Standard.
- Where on-site works are proposed the County may, by condition, require the provision of a Construction Management Plan and/or Stormwater Management Plan.
- The Development Authority may impose any condition to meet a requirement of the Municipal Government Act or Subdivision and Development Regulation.
- As a condition of development approval, the Development Authority may include the requirement to update technical reports submitted with the application.

5. The Development Authority shall impose relevant requirements for the payment of levies associated with Bylaws for transportation, wastewater, water supply and stormwater:
 - i. Transportation Offsite Levy Bylaw;
 - ii. Water and Wastewater Offsite Levy Bylaw; and
 - iii. Such other Bylaws as may be in force or come into force and be applicable to development or activities on or services provided to the subject land from time to time.
6. The Development Authority shall determine any oversizing requirements for services and infrastructure required to be constructed as part of the proposed development. The County will determine Cost Recovery arrangements through preparation and execution of documents prior to endorsement of a plan of survey for registration.

(b) *Technical reports* are defined as any report or any information regarding a matter identified in the Municipal Government Act, Subdivision and Development Regulations, Statutory Plan, County Policy, Servicing Standards or Bylaw.

(c) General statement about technical reports:

1. Additional technical reports may be required after the time of application, based upon the ongoing assessment of the application.

(e) All costs of development are borne by the landowner / applicant including, but not limited to, all on and off-site construction works, infrastructure development, securities, levies, contributions, additional fees associated the preparation and review of reports and technical assessments, endorsement fees imposed by the County, registration fees and such other costs as may be associated with the development of the land. Further, that it is the landowner / applicant responsibility to identify and consider all costs of development.

(f) The applicant and landowner acknowledge that not providing the information required in this form or failing to provide accurate information may prejudice the assessment of the application.

(g) The applicant and landowner acknowledge that the County including individual staff members have not provided an advisory role with respect to the preparation and making of this application and that the decision to make the application is entirely that of the applicant and landowner.

(h) It should be noted that while every effort is made to ensure the applicants are provided with clear information regarding the requirement for application, that over the course of the application assessment process, particularly following a full technical review and also following submissions from agencies, additional technical information may be required. In addition to the requirement for further technical information, further justification regarding the merits of a development proposal may also be required.

5. ADDITIONAL INFORMATION

I Daniel Aljalgah hereby certify that
(Print Full Name)

- ☒ I am the registered owner
☐ I am authorized to act on behalf
of the registered owner

and that the information given on this form and the material provided with this application is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval. Further, I have read, understood and accept the contents, statements and requirements contained and referenced in this document – **STRIPPING, FILLING, EXCAVATION AND GRADING.**

PLEASE PROVIDE ALL OF THE ABOVE INFORMATION. THANK YOU.



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0027 849 009 9910521;2;31 161 023 943

LEGAL DESCRIPTION

PLAN 9910521

BLOCK 2

LOT 31

EXCEPTING THEREOUT ALL MINES AND MINERALS

AREA: 1.6 HECTARES (3.95 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE

ATS REFERENCE: 5;3;26;12;NE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 151 152 103

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
161 023 943	25/01/2016	TRANSFER OF LAND	\$380,000	SEE INSTRUMENT

OWNERS

NOUR ALJALGAH

AND

DANIEL EIAD ALJALGAH

BOTH OF:

[REDACTED]
[REDACTED]
[REDACTED]

AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS
961 236 780	09/10/1996	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

161 023 943

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
--------	--------------	-------------

991 046 484	19/02/1999	CAVEAT
-------------	------------	--------

RE : EASEMENT

991 046 485	19/02/1999	CAVEAT
-------------	------------	--------

RE : RESTRICTIVE COVENANT

991 046 486	19/02/1999	CAVEAT
-------------	------------	--------

RE : RESTRICTIVE COVENANT

171 291 556	22/12/2017	BUILDER'S LIEN
-------------	------------	----------------

LIENOR - CHEEMA MANAGEMENT & CONTRACTING LTD.

MCMILLAN LLP

1700,421-7 AVE SW

ATTN:PREET SAINI

CALGARY

ALBERTA T2P4K9

AMOUNT: \$17,514

TOTAL INSTRUMENTS: 005

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 6 DAY OF
SEPTEMBER, 2019 AT 12:08 P.M.

ORDER NUMBER: 37955906

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

Development Permit Checklist

The following information must be included with your application. Without it, your application will be considered incomplete, and will not be processed until it has been supplied.

☒ **APPLICATION FEE**

See Development Permit Fee Schedule.

☒ **CURRENT COPY OF THE CERTIFICATE OF TITLE INCLUDING NON-FINANCIAL CAVEATS AND COVENANTS REGISTERED ON THE TITLE**

Searched within 30 days prior to the application, the copy of the title may be obtained from any Provincial Registry Office.

☒ **SITE PLAN OF THE PROPOSED DEVELOPMENT**

Showing all dimensions and setbacks – refer to the example in this package.

Please show all slopes steeper than 15%

☒ **APPLICATION FORM(S)**

The form is to be completed in full and signed by the registered owner of the land and/or the person authorized to act on their behalf (if any).

☐ **AUTHORIZATION FROM REGISTERED OWNER**

Provided either by signing the Development Permit Application or an attached letter from owner giving authorization.

☒ **AFFIDAVIT, LETTER, AND/OR COMPANY SEAL**

An affidavit or Company Seal is required when the registered owner shown on the title of the property is listed as a Company. If you do not have a Company Seal, have an affidavit Commissioned, granting you authorization to legally act on behalf of the Company. If you have a Company Seal, please affix said seal to every place that your signature is required, including the Letter of Authorization.

☒ **COVER LETTER**

*A cover letter, detailing the nature of the business or tenancy, **must** accompany all Home Based Businesses or Tenancy applications. A cover letter for all other development permit applications will be requested when deemed necessary.*

☐ **OTHER DOCUMENTATION**

All other required documents specific to the Development Permit in question, must accompany the application. To determine what other documents will be required, please speak to a planning representative or review the requirements on www.rockyview.ca. Additional items may be requested upon receipt and after review of the application, depending on the nature of the application.

FOR OFFICE USE ONLY

☒ **PARCEL INFORMATION AND LAND USE MAPS**

☒ **LAND USE DESIGNATION** R-2

☒ **PROPOSED DEVELOPMENT** FILE of CULVERT INSTALLATION

☒ **AIR PHOTO**

☐ **CONCEPT PLAN/ASP INFO. Which one?** _____

Print off any relevant sections of the ASP/Cp's in regards to the above

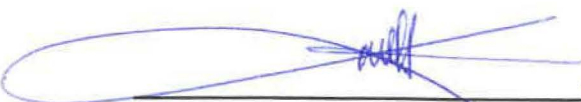
☐ **PRE-APPLICATION MEETING/AIMTRAC NOTES**

If applicable, provide a copy of any notes if a pre-app meeting was held before application was received

	Road Type	Bylaw	Proposed
Front Yard Setback Minimum			
Side Yard Setback Minimum			
Rear Yard Setback Minimum			
Height Maximum			
Principal Building Size			

☒ **ADMINISTRATION MUST VERIFY APPLICATION IS COMPLETE AND ACCURATE**

Comments



 Staff Signature

Daniel Aljalgh
103 North Valley Bay NW
Rocky View County, AB

262075 Rocky View Point
Rocky View County, AB
T4A 0X2

RE: Application for Stripping, Filling, Excavation and Grading Permit

In reference to the attached package, please accept this application for Filling and Grading activities at the property of 103 North Valley Bay NW. The intent of this operation is to import clean fill material to site to allow for the site grading and construction of several berms around the perimeter of the property. This grading is to allow for the planting of trees to increase privacy to the property.

The grading will encircle the area of existing wetland with minimal to no impact to the natural pond. Further, the intent of this grading is not to alter any existing drainage paths, only to maintain or improve the natural drainage course to this communal trap low for the community. Again, there will be no negative impact to neighboring properties.

We will maintain the natural drainage path from the West ditch via a 600mm CSP at a minimum of 0.2% slope. From the East, we intend to maintain the natural overland drainage route incoming via ditch. As shown, we propose to install some minor Rip-Rap rock along the drainage channel to reduce velocities and prevent further Erosion from occurring, minimizing the sediments entering the natural pond area on the property. At the completion of grading activities, it is the intent to heavily reseed with a natural grass seed mix and maintain until grass growth has occurred.

The existing land use of the property is residential, with an existing occupied private residence located on the west side. Vegetation is sparse with many existing trees on the property. As the intent of this proposal is to plant additional trees, the existing trees are being incorporated into the grading design.

Overall, we intend to fill to an average of 1.2m to a maximum depth of 3m. Areas of fill are not intended to contain any building envelopes, and are meant strictly for landscaping and privacy purposes only. In total, we are expecting approximately 3000 cubic meters of material to be imported to the site. This will be done in accordance with all road limitations and bans. We expect total completion by November 2020.

Thank you for you time. Should you have any questions, please do not hesitate to contact myself at the information provided on the attached application.

Daniel Aljalgh
[REDACTED]



Summary

Roll Number	06712074	
Legal Desc	NE-12-26-03-W05M	
Divison	08	
Lot Block Plan	Lot:31 Block:2 Plan:9910521	
Linc Number	27849009	
Title Number	161023943	
Parcel Area	3.95000	
Municipal Address	103 NORTH VALLEY BAY	
Contact Information	Aljalgah, Nour & Daniel E	0000000000000000
		0000000000000000
Land Use Information	R-2 (RESIDENTIAL TWO)	

Plan

Planning Applications Information

{There is no related Application}

Plan Name
Bears paw

RV Number

Conceptual Scheme

Plan Name
JEWEL VALLEY

RV Number
1995-RV-64

Planner

Permit

Building Permit

Permit Number	Permit Type	Date Issued
PRGS20184555	Gas	Tue Nov 13, 2018
PRPL20184554	Plumbing	Tue Nov 13, 2018
PRPS20160280	Private Sewage	Fri Feb 09, 2018
PRPL20160277	Plumbing	Tue Feb 23, 2016
PRBD20160275	Building	Tue Feb 23, 2016
PREL20160276	Electrical	Tue Feb 23, 2016
PRGS20160278	Gas	Tue Feb 23, 2016
PRGS20160279	Gas	Tue Feb 23, 2016

Development Permit Information

{There is no related Development Permits}

Alert

{There is no related Development Enforcement Data}

Geospatial Boundary

Boundary

Category

Division	8
Area Structure Plan	Bears paw
Conceptual Scheme	JEWEL VALLEY
IDP	No IDP
Airport Vicinity	No APVA
Engineer	Milan Patel
Water Coop	ROCKY VIEW WATER CO-OP LTD.
Gas Coop Service	ATCO GAS
No.of Lots Within 600 M	56
No.of App Subdiv Within 600 M	0

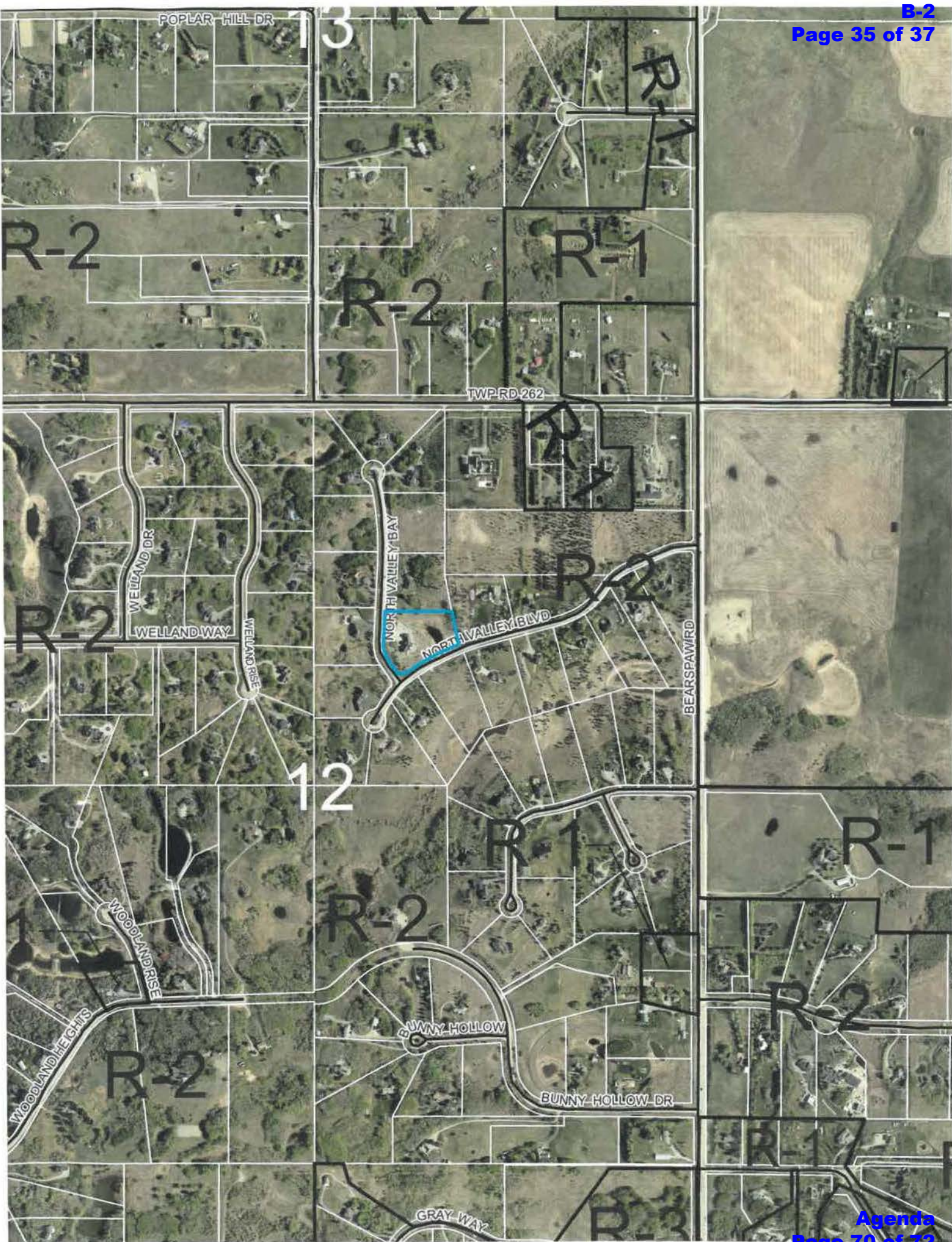
Developed Road Allowance	Yes
Riparian Area	Yes
School	No School Boundary
Recreation	Bearspaw-Glendale
Fire District	BEARSPAW
Primary Fire Station	103
Secondary Fire Station	151
Tertiary Fire Station	102

Geospatial Adjacency

Boundary	Category	Distance
Closest Highway	No HWY within 800 M	
Closest Gravel Pit	Glendale Pit	6611.83 M
Sour Gas	No Sour Gas Pipe passes	From closest sour pipe:14817.85 M
Closest Road Name	NORTH VALLEY BA(Surface Type:Paved)	5.76 M
Closest Railway	CPR	6501.47 M
Closest Western Irrigation Districts	Within 10Km	
Closest Waste Water Treatment	Within 10Km	9684.28 M
Closest Waste Transfer Site	Within 3 Km	
Closest Municipality	CITY OF CALGARY	4620.56 M
Closest Confined Feeding Operation	Within 10 KM	

NORTH VALLEY BAY

NORTH VALLEY BLVD





ROCKY VIEW COUNTY

262075 Rocky View Point
Rocky View County, AB, T4A 0X2

403-230-1401
questions@rockyview.ca
www.rockyview.ca

RECEIPT OF PAYMENT

Receipt Number: 2019022038
Receipt Date: 09/09/2019
Date Paid: 09/09/2019
Full Amount: \$465.00
GST Amount: \$0.00

Payment Details:	Payment Method	Amount Tendered	Cheque Number
	Visa	\$465.00	

Amount \$465.00

Tendered:

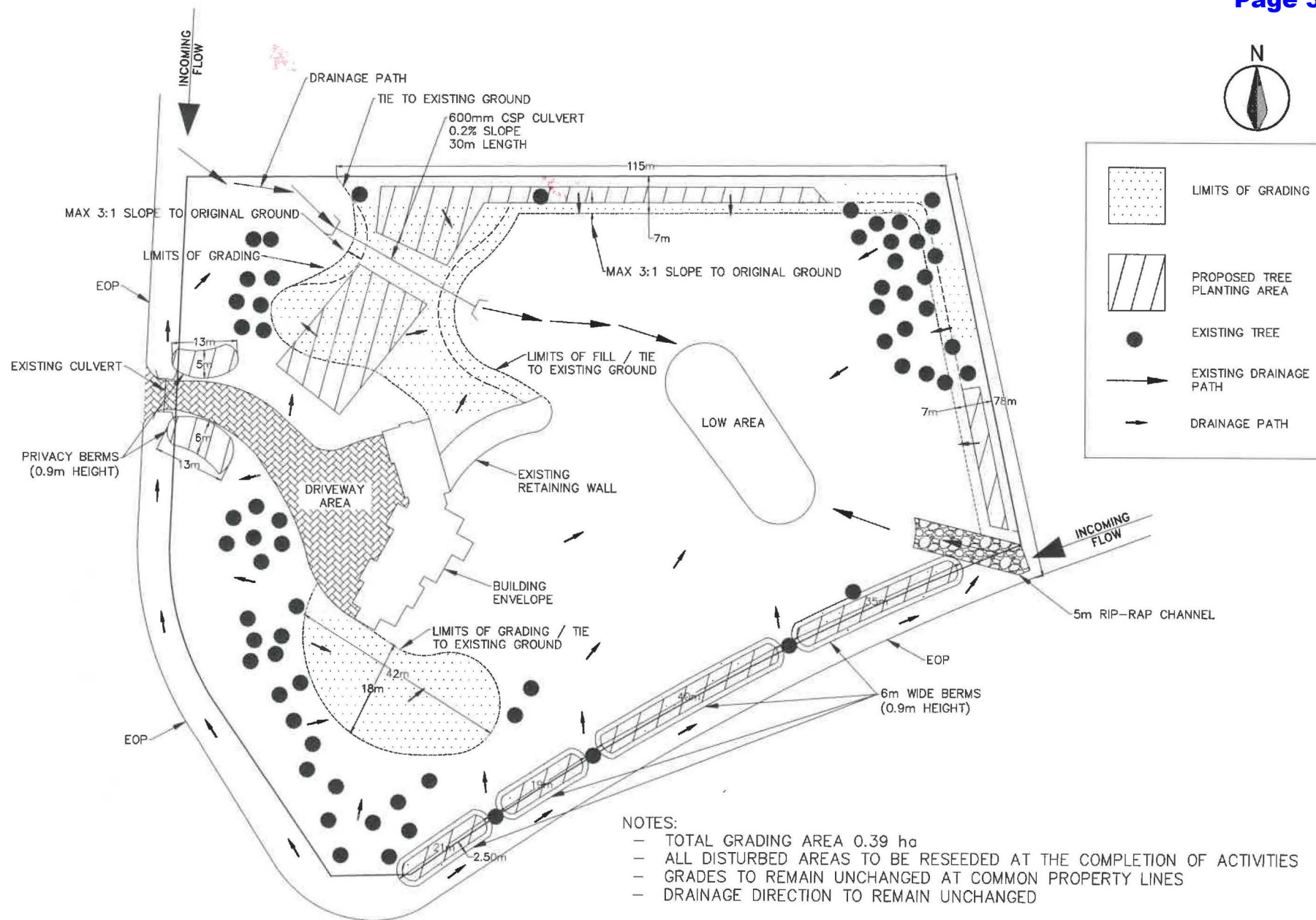
Change / \$0.00

Overage:

Contact: Aljalgah, Daniel, Address:103 North Valley Bay NW, Phone:(403) 829-1122

FEE DETAILS:

Fee Description	Reference Number	Amount Owing	Amount Paid
Single lot	PRDP20193187	\$450.00	\$450.00
re-grading-placing of fill/excav. ponds (=< 1 acre)			
Land Title	PRDP20193187	\$15.00	\$15.00
Document(s)			



103 NORTH VALLEY BAY PROPOSED GRADING PLAN